

UNDERSTANDING THE ZERO TOLERANCE ERA SCHOOL DISCIPLINE NET:
NET-WIDENING, NET-DEEPENING, AND THE CULTURAL POLITICS OF
SCHOOL DISCIPLINE

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by
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ABSTRACT

Title: Understanding the Zero Tolerance Era School Discipline Net: Net-widening, net-deepening, and the cultural politics of school discipline

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School safety is widely recognized as an ongoing problem in United States public schools. Guided by the New Right, the school safety problem has been framed as an issue of school crime, violence, and student misbehavior that is best mitigated by zero tolerance policies. This stance has emerged as an agenda that has proven disproportionately detrimental to poor urban students of color who have experienced unforeseen levels of punishment since the Gun Free Schools Act of 1994 endorsed zero tolerance. Despite mounting evidence that zero tolerance approaches to discipline do little to deter school crime and violence or make schools safe, little ground has been gained in interrupting the ideology, policies, practices, and discourses of the zero tolerance agenda.

This research project theorizes and explores how ideology, cultural-politics, and discourse foster the tendency for policy creation and codification to legitimize the New Right's official knowledge of zero tolerance ideology and policy as a panacea for the school safety problem. To accomplish this, I conduct an ethnographic content analysis of codes of student conduct to examine the imbued ideologies, discourses, and policy changes that emerge from the cultural politics of managing school discipline over the last 15 years. Through this process, I lend empirical credence to the concepts of net-widening and net-deepening. With these guiding concepts, I push the field beyond the zero tolerance discourse on school safety and discipline to establish a generative alternative to understanding school discipline policies called the school discipline net framework.

The research establishes a precedent for thinking more deeply and creatively about the perils and possibilities of school discipline policies. Major findings include the identification of several school policy changes that make the discipline experience both increasingly likely and potentially more punitive for students. Finally, through substantiating the school discipline net as a framework for discoursing, researching, guiding policy creation, and recognizing and locating sites of agency, this work establishes that it is indeed possible to engage issues critical in the field in ways that can transfer into the highly politicized school policy context dominated by New Right ideologies and discourses.

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CHAPTER ONE

UNDERSTANDING THE ZERO TOLERANCE ERA SCHOOL DISCIPLINE NET

The School Safety Problem

School safety, as currently framed, is a difficult phenomenon to understand and define (Cornell, 2006; Gastic, 2007; Gastic & Gasiewski, 2008), but despite this ambiguity, school safety has become a major preoccupation of policy makers, educators, researchers, and the general public over the past 15 years. Many perspectives exist that attempt to explain the school safety problem. Embedded within this conversation is an implicit assumption that behavior, security, violence, crime, and safety are all related. Since violence, crime, and more recently, low-level deviance have been framed as school safety problems, it is unsurprising that the school safety agenda has moved from elements in the school such as cleanliness, reductions of risks and hazards, and building maintenance to school security and discipline (Cornell, 2006; Lindle, 2008).

Educators have voiced concerns about student behavior since the days of the common school (Martin & Nuzzi, 2004). Likewise, various forms of punishment have also been used to manage student behavior. Historically, behavior management strategies have ranged from contacting parents, detention, and removal from class or school, and corporal punishment (Martin & Nuzzi, 2004), and were typically used in some combination with one another. More contemporary approaches, such as modifying school culture and/or climate (Bucher & Manning, 2005; Hernandez & Seem, 2004; Noonan, 2004) move beyond punishment as the primary approach to disciplining students and instead focus on such issues as discipline as social curriculum (Skiba & Peterson, 2003),

providing positive behavior supports (Safran & Oswald, 2003), and re-shaping the biases held by teachers that shape student teacher interactions within schools (Higgins, 2005).

The burgeoning literature concerned with school safety is primarily concerned with school crime, violence, and student misbehavior. For example, few school safety studies conducted during the era of zero tolerance give attention to fire drill escape routes or disaster readiness. Instead, most school safety articles are concerned with reducing student behaviors that pose threats to the school environment. As will be discussed shortly, law enforcement approaches to school discipline provide the primary model for achieving school safety in the era of zero tolerance. Acknowledging this shift is important because this research project is concerned with the cultural-politics of this shift, its causes, consequences, and implications.

There is a general consensus among educators and researchers that “safe schools are without question an essential pre-requisite for learning and development” (Axelman, 2006, p. 37). But because achieving school safety through reducing school crime, school violence, and discipline is so complex, school safety discussions are tinged with contradictions. On one end of the spectrum, there is a premise, one in which most research articles are based, that schools are unsafe. Still, it is widely acknowledged that schools are relatively safe places for children to be, especially considering the overall low probability of students being victimized in schools during school hours in comparison with out-of-school victimization. But low level acts of violence confound the issue.

Even if schools are thought to be relatively safe, the concern with school safety is warranted considering that behavioral disruptions can lead to crime and violence. Acts such as bullying, disruption of classroom activities and general unruliness have an impact

on student learning and behavior. If not addressed firmly, fairly, and promptly, these behaviors can contribute to school disorder (Welsh, 2003; Welsh, Stokes, & Green, 2000) which is a predictor of crime and violence (Chen, 2008; Olweus, 1996). And when school crime or episodic acts of high-level violence such as school shootings occur, these events taint the sanctity of schools. Shock, fear, and dismay ensue.

Together the ever-looming possibility of serious violence, the continued behavioral issues schools face, and the unsafe feeling many school aged youth report creates much anxiety around the issue of school safety. This school safety problem has led to agenda setting and problem defining (Lawrence & Birkland, 2004) concerned with addressing both school violence and creating a sense of safety in schools. If the school safety problem is ambiguous, school safety priorities, framed by a zero tolerance agenda, are quite the opposite.

Purpose of the Study

The purpose of this research is to offer empirical credence to an alternative framework for the study of school discipline policies in the era of zero tolerance. Specifically, the study theorizes and substantiates the net-widening and net-deepening effects of school disciplinary policy creation in the era of zero tolerance. The objective of this research study is to make the zero-tolerance discourse on school violence and safety problematic by investigating how official knowledge about school safety and student behavior is legitimated through the perceptions, language, and policies adopted by school officials. Through challenging the dominance of the zero tolerance and offering an alternative school discipline net framework for understanding the implementation, maintenance, and growth of punitive discipline policies in schools, it is my hope that

researchers, policy-makers, and educators will be able to arrive at new understandings of both the perils and possibilities inherent in zero tolerance era school discipline policies.

Background and Need

The Rise of Zero Tolerance Policies

In the past 15 years, the adoption of no-nonsense zero tolerance approaches to school safety have garnered much national attention from both opponents and proponents alike. Zero tolerance disciplinary policies are punishment-based preventative approaches to reducing school violence that were formalized with the signing of the Gun Free Schools Act of 1994. Zero tolerance policies pre-establish consequences for both major and minor incidents of violence and misbehavior in an effort to deter major acts of violence. Moreover, punishments for poor behavior are issued “equally,” regardless of context, in an effort to prevent the possibility of more serious infractions or reoccurring incidents. Zero tolerance represented, then, an attempt to address the school safety problem.

The development of zero tolerance approaches to school discipline can be understood by examining three stages in the policy development process. First, all policy making arises because of a general societal problem, in this case the real and perceived existence of a school violence epidemic and the threat of this epidemic to the safety of students in public schools. From here, the problem evolves into a policy issue at which point actors move beyond a consensus that a problem exists. When a problem becomes an issue, it becomes controversial because individuals and groups begin to infuse their beliefs into the issue and interpret how the issue can be resolved through the creation of policy (Heck, 2004). Once an issue catches the attention of government officials and

policy makers, the issue becomes an agenda (Heck, 2004). Often key events, such as school shootings, occur that crystallize opinions of particular stakeholders or catch the attention of policy makers. Zero tolerance school discipline policy has succeeded in moving through each of these steps.

The concept of zero tolerance was first applied to a military code of conduct forbidding drug abuse; however, it gained widespread attention when the concept was used by the United States Customs Service as a means to combat the illegal drug trade in the early 1980s by moving swiftly and absolutely to impound vessels carrying any amount or trace of drugs (Verdugo & Glen, 2002) (these policies were later repealed). Although typically referred to in a policy context, zero tolerance also represents an ideological position intolerable of specific actions that has emerged most prominently through policy “applied to a broad range of issues, ranging from environmental pollution, and trespassing to skateboarding, homelessness, and boom boxes” (Skiba, 2000, p. 5).

In the late 1980s, concerned with what was believed to be a rising tide of violence, school officials and administrators began to adopt zero tolerance approaches to discipline in an effort to deter poor student behavior and punish students who made poor decisions. The introduction of zero tolerance as a guiding disciplinary philosophy in schools emerged as a result of New Right penal agenda (Bromberg & Cohen, 2003) being applied to student populations. The zero tolerance approach to school safety and violence mirrors the approaches used by law enforcement to combat what was considered at the time a drug, gang, and violent crime epidemic in major cities that came along with de-industrialization and increased effects of globalization on local economies (Gilmore, 2007). The subsequent mass incarceration of Black and Latino males, often for non-

violent offenses, was hailed as a great success by the political right. Similar tactics were soon after employed amongst juvenile and school aged populations.

These changes occurred at the same time that the educational right launched its effort to reform schools through the application of market principals that remain the hallmark of the educational rights school reform efforts. By 1989, school districts in California, Louisville, and New York State had implemented zero tolerance policies (Verdugo, 2002). In New York, the measure applied specifically to disruptive students and by 1993, zero tolerance was among the major disciplinary discourses in public schooling to deal with drugs, weapons, and major school disruptions. The increased allocation of funds to enforcing student safety using technologies associated with domestic security and adult penal policies have created what Lewis (2003) refers to as the surveillance economy of post-Columbine schools. Such an articulation recognizes the connection of school discipline policies to a larger political economy of student behavior management that serves the private interests at the expense of the public.

Once zero tolerance approaches were adopted, it altered the way of schools employed new methods of control but also transformed and enhanced the significance of older disciplinary policies and practices. That is, previously employed disciplinary practices and strategies were applied in new ways and to new extents (Dunbar & Villarruel, 2004). For example, suspension and expulsion, subject of much attention within the literature, were not introduced as new forms of punishment. Rather, these old methods take on a new roles and prominence within the zero tolerance agenda, especially in urban schools (Dunbar & Villarruel, 2004). In addition, new technologies of surveillance and disciplining students began to be employed. These efforts include the

increased use of metal detectors, school identification cards, use of cameras, preference for designing schools in a panoptical fashion, and heightened documentation of student performance and behavior (data collection) as surveillance strategies (Astor, Meyer, & Behre, 1999; Hess & Leal, 2003; Lewis, 2003; Noguera, 1995).

In 1994, President Bill Clinton signed the 1994 Gun-Free Schools Act. The legislation mandated that any student in possession of a firearm on school grounds or within 1000 feet of school property be expelled for a minimum of one school year and referred to a criminal or juvenile court (Bailey & Ross, 2001; Tobin, 2001). This act speeded up the movement towards zero tolerance approaches to school discipline. Most states and districts immediately complied with this mandate due to the fact that school funding became contingent on state's enacting a zero-tolerance law forbidding guns in schools (Ashford, 2000) under the 1965 Elementary and Secondary Education Act (ESEA) (Glazner, 2005; Reyes, 2006). Moreover, the legislation established federally sanctioned collaborations between public school and law enforcement institutions (Reyes, 2006).

This key legislative development at the national level set into motion some of the most controversial and contested disciplinary policies and practices since corporal punishment (Martin & Nuzzi, 2001) and ushered in the current era of school discipline: the era of zero tolerance. In the mid-1990s, zero tolerance was met with little opposition considering the inherent dangers associated with firearms, weapons, and drugs in schools. In a relatively short period of time, the zero tolerance policies gained credence as common sense policy approaches to school safety. One year after the Gun Free Schools Act was signed the word firearms was amended to weapon (Schwarz & Rieser, 2001).

The act was again amended in 1997 to encompass the same punishment for possession of illegal drugs or drug paraphernalia on school grounds (Casella, 2003).

Within the broader neo-liberalist and neo-conservative educational reform discourses, these policies were thought to be fair, unbiased, and able to deliver the promise of safe educational environments for all students. These beliefs echoed societal calls for law and order and were widely accepted by parents, school districts, teachers, and law enforcement officials who endorse the no-nonsense philosophical stance of such a policy (Shanker in Noll, 1995). Because of the growing fear of and for youth, zero tolerance's popularity grew quickly spreading from "political slogan, to law, to crime policy, and finally to the education system" (James & Freeze, 2006, p. 583).

The ideological position of zero tolerance seemed reasonable and appropriate given the popular perception of schools as unsafe, the real possibility of high-level incidents of crime and violence and the behavioral disruptions that have characterized schools since the common school era began (Tyack, 1978). The Safe Schools Act of 1994 and the Safe and Drug Free Schools Act provided funding for non punitive approaches to school safety, reflecting the true complexity of the safety issue (Reyes, 2006). Early prevention programs in combination with zero tolerance seemed effective enough (Casella, 2003). But in some way, the understanding that zero tolerance policies, in order to be effective, must be implemented along with additional interventions such as conflict resolution, peer mediation, and other non-punitive initiatives to reduce violence (Casella, 2003) was lost. Combined, the national mandate, widespread misapplications and increasing scopes of zero tolerance approaches eventually shifted the focus beyond

keeping schools free of weapons and drugs to “punishing dangerousness” (Robinson, 2001) or punishing behaviors that pose the threat of violence.

Since the nationalization of zero tolerance policies has been established, opponents have argued forcefully and consistently that zero tolerance does not make schools safe. Such approaches instead unfairly punish youth who are already the most vulnerable (Verdugo, 2002; Johnson, Boyden, Pittz, n.d.; & Zweifler, 2002) while not necessarily making schools any safer for the youth that remain. Opposition to zero tolerance remains prominent, especially as the outcomes – militarization of schools, disproportionate punishment of poor and minority urban youth, and the increased reliance on removal as punishment - are now more apparent than before (will be discussed in the next chapter).

Complicating the issue, however, is the undeniable reality that demographics of schools, including age, race, class, poverty levels, and socio-economic status of the student body have and continue to be related to school crime and violence (Chen, 2008). The demonization of the inner-city residents further complicates the matter, adding a geographical dimension to the difficulty of arguing in opposition of zero tolerance. These factors, essential elements of the zero tolerance debate, are rendered inconsequential at the policy level. This is so because some stakeholders’ efforts have proven more effective than others in policing the terms of debate and framing school discipline policy outcomes as race-neutral and a mere matter of individual will and compliance. Essentially, zero tolerance is driven by a positivist paradigm for understanding deviance. Consequently, knowledge and policy recommendations produced and disseminated in the academic context are recontextualized and changed by the political rules which govern school

policy spaces. Within such spaces, a different set of power dynamics, largely controlled by the New Right Movement are at play.

Beyond Zero Tolerance: The Need for a Supplemental Framework

This research conceptualizes the zero tolerance agenda in schools as both a juvenile counterpart of the New Right's broader penological movement and a wing of the neoliberal school reform movement. The New Right consists of neoliberals, neoconservatives, authoritarian populists, and a faction of the new professional class (Apple, 2003). The New Right alliance has been the driving force responsible for school reform movements since the Reagan era. The alliance is guided by a staunch belief in free-market ideology and policies as a panacea for solving social problems; a primary concern with standards, efficiency, and profitability; and adheres to rugged individualism rather than collectivism as the natural social order.

Acknowledging that New Right rhetoric and ideology is at the helm of the school reform movement underscores the difficulty of producing scholarship that is transferrable into highly contested, politicized policy contexts. I argue, then, that zero tolerance ideology and its school-level by-products – approaches to school discipline, changing behavioral expectations, surveillance practices and technologies, and especially the professionalization of student behavior management – are the result of New Right conceptualizations about the school safety problem being successfully declared official knowledge. School safety and discipline discussions that break from or run counter to the New Right's zero tolerance frameworks, however profound and plentiful, have met with little success in swaying the school safety discourse in the educational policy context.

The result is that dissidents of the zero tolerance agenda face a daunting two-pronged task. First, there is the ongoing challenge of deepening knowledge of school safety and related issues through producing high quality scholarship and disseminating our recommendations to improve the school safety problem. Opponents certainly must not abandon the school safety problem or imagine that school safety is not an issue for fear that the acknowledgement of the authenticity of the school safety problem might be used to undermine a collective critique of the zero tolerance approach. Rather, struggle to become the dominant voice through proactive rather than reactive critique must develop. We must continue to wrestle with questions such as what is a safe school? What are proven best practices for reducing violence? How can best practices be applied to different contexts?

Second, zero tolerance opponents (present party included) are challenged with moving empirical knowledge, informed scholarship (that is often concerned with race and understandably subjective in nature), and research-based recommendations into a highly politicized policy context. In this context, objectivity postures as the rule of order, *sensible* policy is thought to be race and class neutral, and fear and anecdotal evidence, not empirical research, drives policy decision making. Questions aligned with this second prong, therefore, must necessarily be concerned with issues of power, legitimacy, discourse, knowledge and how safety and approaches to safety are constantly reproduced, rearticulated, recontextualized and circulated throughout society by various stakeholders concerned with school safety.

To be clear, the New Right movement does not single handedly create the knowledge that contributes to how school safety, violence, or student behaviors is

conceptualized. Nor is this alliance solely responsible for the policies that address the school safety problem. As such, the zero tolerance agenda need not be considered conspiratorial, but as an admiral goal that attempts to ensure school safety through reducing violence in schools (James & Freeze, 2006) that has “morphed rapidly into Frankenstein’s monster, destroying children in its path” (Ayers, et. al., 2001, p. xii). While fault may rest with zero tolerance agenda, all school stakeholders are involved in this knowledge production process, from academics to teachers, parents to students.

It is, however, only after being filtered through the get-tough, race-neutral, fear-based New Right ideological agenda that official knowledge is legitimated through creation of school discipline policies and practices (Cornell, 2006). This filter shapes the discourses and practices of school discipline policy and offers an explanation of how and why the zero tolerance agenda remains a staple of school discipline strategies despite its inability to empirically or anecdotally improve the school safety problem. It is this final point on which I expound in the following theoretical framework.

Theoretical Framework

Within the constructionist criminological tradition, also referred to as the labeling tradition in sociology and criminology (Sheldon, 2004) changes in deviance are considered the result of philosophical changes in society. Rises in violence and crime are thus viewed primarily as social constructions. It is primarily through policy and policy enforcement that these particular constructions gain legitimacy. What are these constructions of violence and crime? From where do they come and how? How are processes reproduced? These broad philosophical questions undergird this research. For this research I employ an integrated theory that considers symbolic interactionism (e.g.,

Blumer, 1962; Mead, 1934) and the post-modernist notion of school texts as sites where official knowledge finds legitimacy (Apple, 2000) but which is most heavily indebted the sociological labeling theory of deviance (Becker, 1973).

Through a process of seemingly objective rule setting and punishment practices, well meaning educators, policy makers, academics, and school workers, often unbeknownst to themselves, participate in producing knowledge about what school safety is and how it best can be managed. Intrinsic to this process is a discourse that structures these activities. Within this theoretical frame, understanding student behavior is fundamentally a matter of learning how particular groups legitimize their beliefs vis-à-vis that of competing groups (Apple, 2000) through action, discourse, and policy creation. Therefore, examining schools as ideological sites of ongoing cultural and political struggles is central (Apple, 2000).

Official Knowledge, School Discipline, and the Text

A major theoretical posture of this research is that official knowledge, a contested and constantly re-negotiated way of knowing about school safety, student behaviors, and school violence and crime exists. Official knowledge is established through the creation of consent about a problem. Consent can emerge as common sense or good sense. Common sense is achieved by means of coercion, demagoguery, or appealing to tradition to establish a particular perspective on an issue as true. Consent can also be established through the creation of good sense, which results once stakeholders have critically engaged with an issue to establish that a given perspective makes sense and is true. Official knowledge offers a yet another level of consent that ensures the re-creation and circulation of ideas via policy and action, which further substantiates that consent exists.

This ongoing process of legitimizing consent constitutes the creation and maintenance of official knowledge.

What “counts as legitimate knowledge,” argues Apple, “is the result of complex power relations and struggles amongst identifiable class, race, gender, and religious groups” (2000, p. 44). The victories of the most powerful groups are manifested through the creation of official knowledge, that which appears in official school documents or texts. Official knowledge postures as a voice for all, invoking a “we” language that suggests a hegemonic value system. Like with textbooks and textbook adoption policies, school discipline policies and related documents concerning discipline codify official knowledge about student behavior.

Official knowledge is the concern because this research examines the cultural products (ie. codes of student conduct, discourses, policies, practices, structures, and texts) that emerge from the cultural-politics of groups in a constant struggle over articulating solutions to the school safety problem: wrestling with both what constitutes threats to the school environment, not exclusive of types of students and behaviors, and what approaches are best suited to mitigating the harmful affects of threats to the sanctity of the school setting. As such, adults and their discourse as embodied in the adoption of particular school discipline policies (reflected in codes of student conduct) are a site for analysis. In keeping with the labeling tradition of sociology, this project theoretically shifts the focus away from individual actors to examine the way groups construct deviance as a social fact (Becker, 1973).

Clearly in the case of urban schools (the focus of this research), powerful primarily white adult middle class and middle class-minded stakeholders label the

behaviors of largely powerless - with respect to the school as an institution - poor youth of color who become stigmatized in the process. The labeling of students by adults and society as potentially criminal runs the risk of having students eventually view themselves in such a way – as potentially criminal. This view of self as potentially criminal can negatively influence student-teacher interactions and prompts the creation of a self-fulfilling prophecy (Merton, 1948) within schools. The spaces which students who are deemed out of line with behavioral norms are confined also teach this (Casella, 2005; Duncan, 2000).

But the impact is not only felt by students who may be more likely to view themselves as possible deviants and this is only a minor concern of this research. Instead, teachers' expectations and perceptions of youth constantly co-construct particular students and behaviors and those of deviants or outsiders and they partake in, witness, and make meaning of the day-to-day occurrences that threaten the safety of students in schools. Adults may not be convinced that they criminalize youth – many do not criminalize youth. But even amongst well meaning adults, students can be impacted by the *cultural-politics* of the school safety problem.

The cultural-political struggles are likely to ensue at points where students, parents, and families' values and interests begin to run counter to policies established by governing bodies. An example of this is that many families and parents expect (or at least do not discourage) children to fighting for purposes of self defense. Such a stance is considered reasonable, acceptable common sense that is in the best interest of ensuring the safety of the individual student. School policies, also concerned with the value of safety, that establish that fighting as unacceptable and punishable regardless of intent,

such as self defense, as official knowledge usurp the common sense of families and students and thus deepen the cultural rift steeped in the values of different stakeholders.

Many adults concerned with school safety may unknowingly contribute to the labeling of students as their well meaning *values* and *interests* are appropriated by those who hold the power to draft and enforce policy. Values do not translate easily into policies in pluralistic societies and may actually exacerbate the problems that policies seek to address. Well-meaning researchers, teachers, and policy makers may contribute to increased punitive disciplinary practices in schools, because the zero tolerance ideology often distorts the intentions of scholarship and advocacy seeking to create better schools.

For example, Stein (2001) argues that when feminist discourse on sexual harassment resulted in legislative victories, it was soon after appropriated by zero tolerance proponents who have simply “added sexual harassment to a long list of behaviors that school personnel may use to expel young people from school” (p. 145). Here, the interests and values of feminists, upon transfer into a school policy context relatively resistant if not hostile towards feminism, were used in an unintended manner. Although groups may share the sentiment that an environment where sexual harassment is permitted is not safe, the group with the ability to author policies have the final sway in what constitutes sexual harassment and what happens to students who may violate the safety of the school environment (DeMitchell & Cobb, 2003). This is not to suggest that even in the face of the constraints discussed, caring and concerned educators in many schools along with parents and other stakeholders do not exercise agency in ways that alter and reshape the reforms (Cuban, 1998) imposed by the zero tolerance agenda.

Labeling Misbehavior: Policy Creation and Moral Entrepreneurship

Because values do not translate well into action, societies and groups rely on deducing values to specific rules that can be applied to concrete situations in their lives. Groups of people perceive some area of their existence as troublesome or difficult, requiring action. After considering the various values to which they subscribe, they select one or more of them as relevant to their difficulties. From here, a rule is deduced from the concern, framed to be consistent with the value. These rules articulate with relative precision which actions are approved and which forbidden, the situation to which the rule is applicable, and the sanctions attached to breaking it (Becker, 1973).

Although various stakeholders may be committed to articulating their opinions about the value under consideration (in this case concerning school safety and discipline), the rule making process occurs in contexts where unequal power relations exist. For example, what constitutes violence and deviance in schools is determined for students without careful consideration of the values held by students and families, especially in urban schools. Because of the cultural politics of rule setting and legitimization of official knowledge and violence as officially recognized in schools, does not capture all of the forms of violence experienced by students. Consequently, stakeholders continue to add to the official definitions of school violence and refine the consequences of violations that are thought to be of particular detriment to the school environment's climate or culture.

As long as students and teachers feel unsafe and as long as zero tolerance-based school safety discourse circulates, an insatiable concern with achieving school safety will require that definitions of actionable behavior and punitive responses to misbehaviors continues to expand along with alternative efforts to deter poor behavior. This is so

because usually knowledge deemed legitimate is added to but not taken away (Apple, 2003). As additional stakeholders from outside of schools contribute their knowledge (or are invited to) to the discussion, the potential for the school safety problem to be relocated from the educational context becomes increasingly plausible. The uneasiness of school community members and the entrepreneurial contributions of outsiders reinforce one another to heighten anxiety around the school safety problem. The result is that an ongoing re-labeling process emerges.

The re-labeling process takes on its own logic, become justifiable, and seemingly necessary as a means to combat a crisis of poor student behavior that is both ever worsening and simultaneously being successfully challenged in the era of zero tolerance. All groups concerned with school safety and fostering improved student behavior - scholars, parents, teachers, policy makers – become likely to partake in this process and become a part of a paradox that epitomizes the zero tolerance discipline net that guides school safety and discipline discourse: schools are becoming safe because of better disciplinary policies, yet something must always be done to make schools safer. This paradox supports the logic of the re-labeling process, ongoing rule creation, and the professionalism that is required to maintain it.

Within this cycle, the value of safety is reinforced, solidified, and becomes paramount, requiring that moral entrepreneurship become an enterprise (Becker, 1973). The preoccupation with understanding and developing innovations to discipline and manage students fosters professionalization, job creation, and institutional development, adding additional players to the bureaucratization and specialization of student behavior management. While some disciplinary infractions remain attended to by teachers, school-

based personnel, and parents, many infractions considered more serious are handled by new professionals and agencies which have traditionally operated on the periphery of schools (e.g. law enforcement, therapists). In this way, they become central functionaries in the business of managing student behavior and ensuring school safety.

In addition to new personnel, new industry and organizational structures emerge (Hawkins & Tiedeman, 1975) to manage the populations of students who will and who have fallen into trouble. Evidence of this is found in the emergence of privately managed alternative schools. Teachers evolve away from their role as disciplinarians, constrained by official policies and discourses, to become managers whose traditional moral authority is thrown into flux. Displaced by expert knowledge of new professionals and law enforcement personnel, the opportunity to wrestle with how to best establish and maintain safe violent-free educational environments based on their own knowledge is challenged. Instead, teachers are required, encouraged, and eventually may prefer to leave the disciplining that teachers used to do to the new specialists and professionals – school social workers, security guards, hall monitors, and the like (Lewis, 2003; Lipman, 2003). Removal as a strategy for disciplining students ensues and isolation from peers, social activities, traditional classrooms, mainstream schools develops as a normal and natural course of action for correcting misbehavior.

New jobs and institutions in the era of zero tolerance are found in the vast array of discipline related services, alternative educational spaces, scholarly endeavors, and so on that have resulted from the rule creation and enforcement in this era. This new professionalization of student behavior management, that relies less on teachers and educators and more on non-traditional educational workers and out-of-school agencies,

creates a dialectic that requires workers to work towards eliminating the very behaviors that provide them with their professional livelihood and hence their interests.

As moral entrepreneurship grows, concurrently many groups in the school context become invested in safety as a value. Together these interests in managing deviant behaviors develop. To manage these behaviors and people, the behaviors and people must be labeled as deviant. In this way, the values and interests of oppressed groups become more aligned with that of dominant groups. Thus, zero tolerance era policies are likely to become common sense for everyone - teachers, policy makers, parents, and even students. This theorization of how zero tolerance era discourses, policies, and practices explain the re-labeling processes, which this research study re-articulates in terms of net-widening and net-deepening, is at the core of the research project. It is these processes that work to re-establish the zero tolerance agenda as an effective and necessary way of addressing the school safety problem.

Research Statement and Questions

In the era of zero tolerance, school discipline policies and procedures have expanded immensely. During this same time, youth crime and delinquency and violence have remained steady. Despite this, the number of students experiencing discipline in school, especially, punishments involving removal from the mainstream school environment have increased. These simultaneous occurrences suggest that schools today are spaces where students are relatively more likely to get into trouble and more likely to be disciplined with increased severity than in the past even if student misbehavior remains constant. To investigate the legitimacy of this statement, I conducted research to answer the following research question(s):

How has the School District of Philadelphia discipline policy discourse surrounding student behavior changed the school discipline net (systems of discipline) in the era of zero tolerance?

1. How has net-widening – the changes in school discipline policies that result in additional and more encompassing rules and infractions - changed the school discipline net over time?
2. How has net-deepening – the changes in school discipline policies that result in increasingly severe corrective actions - changed the school discipline net over time?
3. Together, how do net-widening and net-deepening effects contribute to restructuring the school discipline net and what are the implications of this restructuring for students attending urban public schools?

Study Organization and Chapter Overviews

The organization of the dissertation study can be understood as examining school safety and discipline through lens of a photographer. In this introduction, I have provided a broad picture of the school safety problem. In the subsequent chapters, I zoom in for closer examinations of micro-processes that contribute to how the larger picture is understood. With the literature review, I narrow the focus of the introduction by identifying gaps in the literature. In an effort to fill these gaps, I develop a framework and methodological rationale for examining a relatively minute, albeit, important aspect of the zero tolerance era school safety debate – how policy changes have occurred over

time, how these changes have restructured the school discipline net, and how the changes can be conceptualized in a manner that evades the discourses typical within the field.

Before presenting net-widening and net-deepening, the crux of the research study, I present findings from school district data and interviews that offer a context for understanding how school district insiders understand the school safety problem, its relation to school discipline policies, and the relevance of school discipline policies in enhancing school safety. From here, the study zooms in to analyze the changes in school discipline policies that have occurred during the era of zero tolerance. Finally, in the concluding chapter I zoom back out to discuss and explore the larger implications of the findings of the research, the scholarly and practical contributions of this research, and offer directions for further inquiry.

Chapter two reviews and critiques a body of relevant literature. Rather than a comprehensive review, the literature examines reports on school discipline policy, school safety, and related studies that were conducted since the introduction of zero tolerance policies. I develop the argument, using research-based evidence, that the zero tolerance school discipline net is indeed expanding; however, the review does not end here. I add an additional layer by reviewing literature from outside of the parameters of the field. The review moves beyond the usual sources that inform the school safety debate by engaging literature about of the New Right movement and its impact on school reform and the penal system.

I engage New Right studies to establish that despite evidence countering the zero tolerance agenda's success in reducing school violence and behavioral infractions, the discourses used to challenge zero tolerance may contribute to the widening and

deepening of the school discipline net. Finally, I offer an alternative school discipline net framework that may find more success transferring findings in the literature into the highly politicized school policy context.

Chapter three, the research methodology, explicates precisely how the research study is conceptualized and carried out. The in depth discussion of methodological issues includes sections on data sources, data collection, data analysis, and data reduction. I present operational definitions of the phenomena under consideration and expound upon the rationale for employing ethnographic content analysis to answer the research questions.

Chapter four focuses on district and school level cultural-politics and bridges the review of the literature and methodology with the content analysis findings. I present a brief overview of the urban school district examined for the study and move quickly into an examination of the cultural-politics of official knowledge. Based on three inside informant interviews, I describe how official knowledge is struggled over by various stakeholders and legitimated and circulated via school policies codified in codes of student conduct.

Chapters five, six, and seven present results of the ethnographic content analysis of codes of student conduct. In each chapter, I share the types of changes that produce net-widening and net-deepening, respectively. Conceptual explanations are provided followed by a detailed description of the policy changes as evidenced in the codes of student conduct selected for the final analysis. In the descriptions, I apply the concepts identified during the study to a narrative that provides a summation of how the school discipline net has widened and deepened in the era of zero tolerance. Chapter seven

focuses on integrated discussion of each of the results chapters. Chapter eight concludes the study with a discussion of key findings, how the work relates to the findings in literature, and shares, what I believe, is the major contributions of the study. I conclude with suggestions for future research.

Significance of the Study: Discipline is Becoming ‘Another Barrier’

Punitive reform measures that reflect law enforcement practices have become emblematic of a changing disciplinary structure in public schools. Although zero tolerance ideologically purports equal justice set out based on the actions of students, the consequences have disproportionately fallen on urban schools and the sizeable Black and Latino school communities who depend on urban public education (Ayers, Dohrn, & Ayers, 2001). The overuse of suspensions, expulsions, assignments to alternative education, fortification of schools, the professionalization of behavior management, all by-products of zero tolerance, are especially likely to be present in urban districts serving youth of color (Christle, Nelson, & Jolivette, 2004).

As is acknowledged in the field of urban education in general and in the school safety and discipline literature, race, class, and gender-based discrimination are central to understanding school discipline policies and punitive approaches to punishment (Ayers, et. al. 2001; Casella, 2005; Fenning & Rose, 2007; Ferguson, 2001; Gregory & Mosely, 2004; Johnson, Boyden, & Pitts, n.d.; Monroe, 2005; Morris, 2005; Noguera, 2003; Males in Ginwright, et. al. 2006; Reyes, 2006; Sheldon, 2004; Skiba, Michael, Nardo, & Peterson, 2002; Verdugo, 2002). Cultural biases present in urban schools are ingrained into the very fabric of the history of schooling in the U.S. Meanwhile, expansion of the prison industrial complex, school discipline policies, and the like play a role in

constructing race in the U.S. (Giroux, 2003) by equating Black youth with criminality. School discipline policies are part of the nexus of discrimination and racism that disproportionately impact urban students of color by legitimating the process of constructing Black youth, in particular, as criminals in the public imagination.

Considering that urban schools are thought by the general population to be inherently more violent than suburban schools and that zero tolerance policies are deemed more necessary in urban schools, it is unsurprising that research conducted on zero tolerance discipline points to the devastating impact it has on the educational experiences of urban youth. It appears as if school disciplinary policies have created yet another obstacle that is of particular detriment to urban youth. But if schools are not safe and if schools are also places where students are increasingly likely to become caught in an ever-widening and ever-deepening discipline net, then what is to be said of the hope and promise of schooling in the lives of youth of color relying on inner-city public education? This is a particularly salient question considering the vulnerability of students in urban public schools who are already placed at a disadvantage by virtue of their position in a grossly unequal public education system (Condrón & Roscigno, 2003; Hochschild, 2003).

Hochschild (2003) explains that youth's position in public schooling is nested in at least four ways - states, districts, schools, and classes - that each compound and result in gross inequalities in public education. Nowhere are the inequities more apparent than in comparing urban schools with suburban schools, and white students to non-white students. Because of persistent racial segregation, in the public school context, urban can in a sense be regarded as non-white, poor, and working class, while suburban serves as a

proxy for white and middle class. Even in the case where schools are mixed, tracking of students within school programs and classrooms usually ensure that two separate and unequal educational systems are at work, one efficient and high achieving that serves (East) Asian-American and White students and the other failing and low-performing serving Black and Latino (Anyon, 1997; Hochschild, 2003; Lipman, 2004; Noguera, 2002) and Southeast Asian students.

While the debate persists over how much money matters in improving school quality and academic outcomes (Condrón & Roscigno, 2003), the case can be made that lack of funding along with host of other shortcomings of urban districts has done a disservice to urban students. Urban schools have larger class sizes with fewer resources and less per pupil spending (Hochschild, 2003). This is despite school size being a strong indicator of student sense of belongingness and attachment to school which reduce school disorder (Chen, 2008). Urban schools suffer from a shortage of qualified teachers. Of teachers present, they are often not certified and teach in subject areas in which they have no academic training. Moreover, they are more likely to leave during the school year than suburban teachers (Hochschild, 2003; Lankford, Loeb, & Wyckoff, 2002), leaving urban students without teachers or with permanent substitutes.

Other supports, such as school nurses, counselors and health-related services are also not as readily available or of high quality in urban districts (Hillemeier, Gusic, & Bai, 2006). Urban students are more likely to attend school in poorly maintained facilities and rely on low quality technology, supplies, and books to learn. Together, these insufficiencies inhibit the ability for urban youth, especially African Americans and Latinos to have successful academic outcomes, college going outcomes, and job-related

outcomes. A wider and deeper discipline net would seem to be yet another debilitating factor for students in urban school districts. So why then would a district continually expand school safety measures associated with zero tolerance policies?

In urban schools where students' values may differ from the white-middle class values espoused as school values, disciplinary rules, procedures, practices, and institutions designed to service students may produce little if any results for the students and may create more conflict between school staff and teachers than previously (Morris, 2005). Research strongly suggests that interventions themselves and the adults responsible for protecting youth often impose violence on the populations they are supposed to protect (Axelman, 2006; Powell, 2003; Rich & Grey, 2005). This may explain why many districts with the most clearly defined codes of student discipline continue to have the problems with school safety and violence. Moreover, it may explain why some critical researchers argue that rigid disciplinary structures, carelessly implemented, exacerbate problems of school violence and student misbehavior (Morris, 2005).

This research offers insights to the discussion of school disciplinary policy by providing a theoretical exploration of how perceptions of youth behavior and school violence are absorbed into policies, legitimating official knowledge that is constantly created and reacted to by stakeholders. In addition, this research sets forth an analytical framework and method to empirically examine these relationships from a constructionist framework. The ideological logic that zero tolerance has set into motion - specifically, the construction of normative understandings of particular behaviors as established through the struggles over official knowledge - must be theorized and challenged if

educators are to understand how harmful the zero tolerance agenda can be to all students and in particular to urban students of color.

CHAPTER TWO

ZERO TOLERANCE ERA DISCIPLINE POLICIES: A REVIEW and CRITIQUE OF RELEVANT LITERATURE

Introduction

Developing a clear sense of what school discipline policies should accomplish and an accompanying discourse to guide such a vision is necessary if official school policies and disciplinary processes are to do more good than harm to students' educational experiences. Recent school safety priorities have shifted from keeping schools free of weapons and drugs to punishing dangerousness (Robinson, 2001) or punishing behaviors that pose the threat of violence, but from a law enforcement perspective. Law enforcement perspectives on discipline often contradict educational perspectives on discipline and punishment. In schools, punishment must be implemented along with additional interventions such as conflict resolution, peer mediation, and other non-punitive initiatives to reduce violence (Casella, 2003) and to improve school climate (Bucher & Manning, 2005; Hernandez & Seem, 2004; Noonan, 2004).

Instead, the most highly visible attempts to curb school violence and misbehavior at the policy level include the increased use of mandatory school dress codes, metal detectors, identification cards, and surveillance (Astor, Meyer, & Behre, 1999; Lewis, 2003; Noguera, 1995) and removal from school as a form of discipline. Such reforms have little to do with promoting education and often conflict with the core beliefs of the educators that act in accordance with such policy priorities.

Even though this contradiction is apparent to researchers, scholarship suffers from a similar intellectual acquiescence in our dependency on and use of law enforcement

terminology, concepts, and theories of discipline and control. For example, researchers regularly employ concepts such as criminalization of youth to evoke concern and empathy from educators about the plight of children punished under the zero tolerance agenda. This dependency draws attention to an intellectual encroachment of law enforcement into education policy scholarship that works in tandem with the encroachment of law enforcement strategies of discipline and surveillance of schools and policy creation.

While the use of criminalization is understandable and appropriate due to its familiarity within the academy, the loaded nature of the term may bewilder many educators, especially teachers and administrators, who feel they have nothing to do with criminalizing the youth they have dedicated their professional service to. In other words, I imagine one would be hard pressed to find an educator who believes he or she explicitly is engaged in the criminalization of the youth in his or her daily work although this may indeed be the case: if not purposefully, because of his or her complicity in following the official school rules and/or acquiescence to the zero tolerance agenda.

These concerns guide this review of the educational research literature that gives attention to some aspect of zero tolerance policies in urban schools. The remainder of this review presents a background on the era of zero tolerance in schools, and summarizes and synthesizes several themes within the literature. These themes include conceptions of discipline, consequences of zero tolerance approaches, and the disproportionate punishment of urban students of color. I conclude with a critique the literature, statement of the problem, and share how this research attempts to resolve the identified shortcomings within the field.

Conceptual Perspectives on Student Discipline

Two conceptualizations of discipline and school safety are found within the zero tolerance era school discipline and safety literature. Either ‘discipline as learning and teaching’ or ‘discipline as control’ provides the framing conceptualization used to study school discipline. Each offers fundamentally different explanations of how discipline can best be achieved, the ideal role of adults in fostering discipline, and the means by which a disciplined student body can be maintained in order to ensure safe and orderly school environments. Almost all disciplinary interventions and policies are based on one of these conceptualizations. Accordingly, the perceived success of particular policies depends in large part on how discipline is conceptualized.

Discipline as Teaching and Learning

The conceptualization of *discipline as learning* (Knoff, 2000; Mendez & Knoff, 2003, Skiba & Peterson, 2003) has become overshadowed in the era of zero tolerance. Discipline is often conceptualized as respect driven teaching and learning where discipline *is* teaching and learning. Creating a disciplined student body is a matter of socializing youth to internalize the behaviors that are acceptable in the adult world (Arum 2003). Here, it is important that authority figures, especially those closest to the education process (e.g. teachers) are believed to be legitimate in the eyes of students, so that discipline will be thought of as fair and consistent (Arum, 2003), rather than equal. This is accomplished through establishing a mutual respect and developing a sense of justice amongst the school community.

Many recent research reports recommend using respect driven models of discipline (Erickson et al., 2004; Glazner, 2005; Saphran & Oswald, 2003; Skiba &

Peterson, 2003) as opposed to zero tolerance approaches. Researchers do not suggest that punishment should not be exercised, but rather that punishment be limited to serious acts, used as teachable moments, and coupled with positive reinforcements and opportunities for reflection and learning (Astor et al., 2005; Erickson et al., 2004).

Developmental changes during childhood and adolescence are an inevitable aspect of human development. Noncompliance and defiance of authority are thus viewed by educators as an expected phase of adolescent development (Martin & Nuzzi, 2001). Therefore, schools and teachers prepare to promote self discipline through modeling desired behaviors, teaching and learning, and social interventions. Such remains preferred within the field of child and adolescent development (Knoff, 2000; Mendez & Knoff, 2003) and in academia; however, many school discipline practices and classroom management techniques rely on the conceptualization of discipline as control.

Discipline as Control

Discipline as control is rooted in behaviorist notions of rewards and punishments. Creating a disciplined student body is a matter of controlling youth to elicit the behaviors that are acceptable in the adult world. Overly simplistic, yet very popular in schools, this brand of discipline posits that student discipline can be maintained if students are rewarded for desired behaviors and punished for unwanted behaviors (James & Freeze, 2006). Discipline as control is less concerned with the individual well being of students and more concerned with disciplining students as a means of controlling the learning environment. Also referred to as authoritarian approaches to discipline (Arum 2003), these conceptualizations provide the genesis for the no-nonsense approaches to discipline

so prevalent in many schools, especially those in urban districts (Dunbar & Villarruel, 2002).

While behaviorist approaches to disciplining students rely on both positive and negative reinforcement, zero tolerance represents authoritarian approaches that rely disproportionately on punishment rather than rewards. Within this model, order and discipline are prerequisites for teaching and learning. Discipline is a policy issue because of the fear of what may happen. Likewise, students discipline themselves primarily because of the fear of being punished. Undergirding this form of school discipline is the regulation of all students through spectacle (Foucault, 1977/1995). The majority of students appear disciplined because they witness the harsh punishment of a few rule-breakers and thus make the rational choice to be self-disciplined. Punishment then serves a dual purpose of both prevention and correction. Within this conceptual model, students need be offered little positive reinforcement or social interventions. Instead *not* getting into trouble and successful matriculation through school are rewards. Lastly, discipline itself is intervention.

Consequences of the Zero Tolerance Agenda

In the era of zero tolerance, the most highly visible attempts to curb school violence include the increased use of mandatory school dress codes, metal detectors, identification cards, and surveillance (Astor, Meyer, & Behre, 1999; Lewis, 2003; Noguera, 1995) as well as removal from school as a form of discipline. Because the politics of school safety accountability for building security (Hess & Leal, 2003) require that school officials show they are combating school violence, these highly visible means of disciplining students neatly appease the beliefs that schools are unsafe and that zero

tolerance makes schools safe by fortifying school property, monitoring students closely, and removing all objects and students deemed threats to the safety of the school community.

Research examining the processes and outcomes of these practices has allowed a general consensus of themes to emerge in the field. Using various methodological approaches to the study of school violence in the era of zero tolerance, researchers have produced a complex set of findings, some complimentary, others divergent and contradictory. Generally, most research is concerned with how to make schools safe places where learning is possible and threats of physical and emotional harm to the school community are minimal.

Since adoption of zero tolerance approaches has ballooned, an increasing number of school discipline research has been concerned with the symbolic violence endured by students and the negative by-products of the zero tolerance agenda. Consequently, the research studies of zero tolerance era discipline policies tend to focus on 1) the state of school safety, 2) how to make schools safe violence-free places, and 3) how to make sure students do not become victims of punitive ideological agendas in the process.

A Consensus on Outcomes

The likelihood of a child being a victim of serious injury due to violence at school is far lower than the probability of a child being injured outside of school (Bucher and Manning 2005; Merrow 2004; Toby 2002). And although serious acts of school violence have been on the decline since the mid 1990s (Astor, Meyer, Benbenishty, Marachi, & Roewmond, 2005; Devoe, Peter, Noonan, Snyder, & Baum, 2005), non-violent behavioral disruptions remain a feature of schools in the United States (Mendez & Knoff,

2003; Toby, 2002; Winbinger, Kaysiyannis, & Archwamety, 2000). Although studies illustrate a decline in violence since the implementation of zero tolerance (Casella, 2003; Toby, 2002), empirical studies illustrating that this is due to the effectiveness of zero tolerance by itself are scarce.

Several variables, both in and out of schools, could be responsible for the declines in school violence. Casella (2003) points to a 1996 report conducted by Burke and Herbert (1996) that claims that zero tolerance policies reduce school violence and other anti-social behavior, but only when “*combined with other violence prevention efforts and aggressive communication campaign* [emphasis added] to familiarize students and parents with zero tolerance” (p. 876). Early in the era zero tolerance, reports were often optimistic about the potential of get-tough approaches to discipline (Casella, 2003). While some remain proponents, especially education practitioners, skepticism about zero tolerance approaches to discipline has become pervasive amongst the research community. This skepticism is reflected in the body of research examining the outcomes of zero tolerance approaches to discipline.

There is a consensus that the declines in rates of school violence through the mid 1990s were misinterpreted or co-opted by school officials who attributed the reductions in violence to zero tolerance measures alone. This attribution ignored the other factors contributing to safer schools (Casella 2003; Fries & DeMitchell, 2007) and that they *were combined with other prevention efforts* (Casella, 2003). In reports examining extended periods of time, researchers argue that trends suggest serious incidents of school violence were on the decline even without the support of zero tolerance policies (Verdugo, 2002; Noguera, 2003).

This claim mirrors Gilmore's argument about the popular misconception of declining rates of crime in her study of the expansion of California's prison industrial complex. She provides evidence that despite law enforcements' claims that "crime was high: we [law enforcement] cracked down; crime went down," the more accurate order of events is that crime was high; crime went down; law enforcement cracked down (2007). Despite such findings, the current era of disciplinary practice has and continues to be significantly altered by the rhetoric, ideologies, and policies associated with zero tolerance and the belief that zero tolerance approaches and related "crackdowns" on deviant behavior prove successful in reducing societal and school violence.

As revealed through the literature, the vast majority of scholarly articles provide a critique rather than endorsement of zero tolerance disciplinary approaches. They argue for restorative justice approaches (Strickland, 2004), increased community involvement in the discipline process (Ayers, Dohrn, & Ayers, 2001) and to a lesser extent radical non-intervention models of restoring discipline in schools (Sheldon, 2004; Shur, 1973). Given a body of research that overwhelmingly concurs that zero tolerance has done little, by itself to make schools safer, it is important to understand other outcomes (or by-products) associated with zero tolerance disciplinary policies. Outcomes of zero tolerance are generally framed as consequences of zero tolerance and are generally explained to be as followed:

1. Increased militarization / fortification of schools. Technological innovations and mechanisms of policing student bodies have been used to monitor, control, and provide surveillance for / of schools and students.

2. Loss of school-based disciplinary authority. The authority to exercise discipline has been stripped from teachers, administrators, and school personnel and inherited by social service and law enforcement agencies. The inability for teachers to exercise discipline has led to the over reliance on removal as a disciplinary strategy.
3. Emergence of Student Behavior Management Industry. There has been an increase in the use non-school agencies as well as the hiring of school-based professionals trained specifically to modify student behavior and enforce discipline. In addition, there have been increases in the number and use of alternative schools and alternative educational settings.

Militarization / Fortification of Schools

School militarization refers to the implementation of safety measures and practices historically associated with law enforcement and the military as a means of instilling discipline within student populations (for comprehensive overview, see Saltman & Gabbard, 2003). School fortification is exemplified through increased use of school security guards and law enforcement, surveillance cameras, metal detectors, random drug searches, transparent back packs, mandatory uniforms, computerized identification cards surveillance, computer programs for profiling school crime and profiling student behavior, fences, and new schools designed (like prisons) for the purposes of monitoring the student population.

Research has proven that many enforcement technologies (metal detectors, school cameras) do not make students feel safer at school even though they often act as deterrents to certain types of school violence, such as weapons possessions, sexual attacks, and school-related deaths (Granberg-Rademacker, Bumgarner, & Johnson, 2007). Despite this, some studies found that increased technology and security in schools can negatively impact school climate and culture (Lewis, 2003) and lead to more disorder (Mayer & Leone, 1999). Although students attending school using handheld metal detectors report being less likely to attempt to bring a weapon to school (Skiba, 2000), evidence that technological interventions reduce weapons possession is scant.

Toby (2002) argues that weapons screening as a strategy for reducing school violence not necessarily good public policy. He cites what he considers the relative safety of schools and argues that serious acts of violence are rare. Others point to the reduction in youth crime and violence experienced across the board (Skiba, Eaton, & Sotoo, 2004; Steffensmeier et al., 2005). Students typically engage in ‘everyday acts of school violence,’ or what others have called schoolyard behaviors (Skiba et al., 2004). Such behaviors are thought to be correctable through social interventions or concerted efforts at modifying school culture at the teacher level (Erickson, Mattaini, & McGuire, 2004; Higgins, 2005), not through employing surveillance.

Despite such empirically substantiated assertions and the mixed results of various studies, adopting militarized strategies remains a priority for many schools and districts. The priority is apparent in the emergence of what Lewis (2003) calls the surveillance economy of schools. To illustrate the existence of such an economy, Lewis examines data on school expenditures and security technology. In addition he collects testimonies from

surveillance technology company employees who report that they have deliberately shifted their precedence of sales and services to schools in lieu of clients such as prisons and airports. Schools are just as financially lucrative. Spending allocated to crime prevention technologies in schools have skyrocketed in the era of zero tolerance (see Lewis 2003). So too have expenditures on prisons, which have been matched or outpaced expenditures on schools in recent years (Marable, 2002).

Finally, militarization of schools involves an influx of disciplinary agents, such as security guards, police officers (often with drug dogs) (Lewis, 2003; Giroux, 2003), and military personnel such as ROTC officers (Lipman, 2003). In the case of ROTC programs, students are often punished through physical means (running, push-ups, etc.), a throwback to corporal punishment – using physical consequences to punish unwanted behaviors. The loophole is that students enrolling in ROTC programs are required to sign contracts agreeing to corporal punishment (Lipman, 2003), a disciplinary practice that has long been shunned as intolerable for adolescents (Martin & Nuzzi, 2001) and made illegal in many states.

Lipman (2003) provides a detailed analysis of the system of rewards and punishments that exist in military schools in Chicago Public Schools where students are rewarded for adhering to military standards of discipline. Her study reports that, although the general consensus among the community was that the school was a success in disciplining unruly inner city kids, many students were averse to attending the school. The militarization of schools along with the new reliance on non-teacher school personnel as disciplinarians can undermine the authority and accountability of teachers

for regulating student behavior and result in increasing the number of disciplinary infractions, especially those handled using punitive means.

Loss of Education-Based Disciplinary Authority

In the era of zero tolerance, authority to exercise discipline has shifted away from teachers, administrators, and school personnel (Arum, 2003). Student discipline now rests in large part in the hands of new professionals trained specifically to enforce discipline – school psychologists, counselors, and special educators, school security officers, probation officers, and local law enforcement. The shift was, ironically, facilitated by several due process court decisions that stripped significant power from schools as pro-individual rights courts favored the rights of individual students and families to successfully challenge schools through legal means. Consequently, the moral authority of teachers and schools has eroded (Arum, 2003). Since schools-based personnel have lost the autonomy to exercise discipline, the acceptance of removal and exclusion from school or learning as an acceptable form of punishment (Astor et al., 2005; Skiba & Peterson, 2003) has resulted. The role of teachers and schools in having the ability to shape discipline policies, practices, and discourses has suffered tremendously.

Classroom management and test-driven teaching have supplanted teacher leadership and teaching content as professional ambitions (Lipman, 2004). Moreover, the focus on classroom based discipline (management) has been overshadowed by school wide discipline practices in an effort to promote uniformity and accountability as relate to school safety. For example, much research making recommendations on improving school safety argues for consistent codes of conduct and rule enforcement for entire schools and districts (Astor, et. al. 2005). Little emphasis is given to developing

individual teacher competency or developing professional decision making on the part of teachers as a solution for improving student discipline (Mendez & Knoff, 2003). As the judgment of teachers to exercise discipline over students vanishes, they too become disciplined, undercutting their own agency.

Teachers relegated to such circumstances (typically in the poorest performing schools and thus the most highly monitored) begin to engage in what Giroux (2001, 2003) refers to as surveillance pedagogies. In combination with a loss of disciplinary authority, the delivery of standardized curricula works to undermine difference, critical questioning, and resistance (Giroux, 2001; Perryman, 2006). Giroux argues that pedagogy, in this model of control [surveillance pedagogy], relies heavily on those forms of standardization and values that are consistent with the norms and relations that drive the market economy. Teachers teach for the tests as students' behaviors are consistently monitored (Giroux, 2001).

Since teaching to the test requires little innovation and creativity on the part of the teacher or the student, compliance and docility are highly valued in this model. Students who epitomize these qualities are considered disciplined. Teachers too become disciplined. As such teachers view their roles as teachers differently than how teaching has been viewed in the past (Perryman, 2006). Teachers' jobs increasingly require that students not acquiescing to such standards be disciplined, often through removal, referral for behavioral disorder evaluation (read medicalization) (Lewis, 2003), or other punitive disciplinary practices, many which have been historically frowned upon (Martin & Nuzzi, 2001) as a means of instilling discipline. In this process, teachers co-produce the

very disruptive behaviors that they seek to discipline (Leung & Lee, 2003; Vavrus & Cole, 2002).

School safety discourse has altered the very meaning of discipline in the era of zero tolerance. If safety is the absence of unacceptable behaviors and the threat of such behaviors, then exclusion as a disciplinary strategy is quite sensible. Giroux suggests this signals the disposability of youth (2003). Noguera provides an example of the disposability of students when he reports a principals belief that certain kids “take up so much time and keep teachers from serving the needs of other children...it may not be the best thing for him, right now, but it’s the best thing for the school” (2003, p. 342).

Exclusion and removal provide an immediate (short term) cure to classroom and school disturbances and violence, but without remediation does little if anything to help the students punished (Casella, 2005; Mendez & Knoff, 2003; Noguera, 2003; Skiba, Rausch, & Ritter, 2004). Nor does it ensure the learning environment will be safer immediately or in the long run. Research suggests such practices may exacerbate behavioral problems or reward students who wish to avoid school (Henderson & Freidland, 1996; Vavrus & Cole, 2002). Ironically however, the vast majority of suspensions and removal from classroom environments are the result, not of violence, but of what are “labeled by administrators as disobedience / insubordination” (Mendez & Knoff, 2003), disruptive behavior / other (Skiba et al., 2004), or miscellaneous (Sheldon, 2004).

Exclusionary disciplinary policies have created new problems for educational systems, juvenile justice, and society at large, but have failed to fix the problem of discipline in schools (Mendez & Knoff, 2003) or address the school safety problem.

Students experiencing suspension are at greater risk of dropping out of school (Velez, 1989). Students with a history of school suspension are more likely to carry a gun (O'Donnell, 2001). In core metropolitan areas, exclusion practices push students out of schools and into high-risk lifestyles (O'Donnell, 2001).

Considerations for the emergence of the out-of-school youth crisis have resulted in federal provisions that school aged youth be provided with a high quality education regardless of their social or behavioral difficulties. Such provisions have reduced the practice of expelling students to the streets and shifted the practice of expulsion to referring problem students to alternative education settings (Cassella, 2006; Duncan, 2000). Although well intentioned, the result of such mandates under the influence of a zero tolerance agenda is that youth become pathologized as a result of being quarantined in educational settings that do little to remediate students, but instead often place them on what is referred to as the prison track (Christle, et. al., 2005).

“Educating” Problem Students: The Bolstering of the School to Prison Industry

U.S. schools, in the era of zero tolerance, have witnessed record breaking numbers of suspensions and reported incidents of disciplinary infractions, most which constitutes non-violent acts (Mendez & Knoff, 2003). While it remains unclear how much of this change relates to reporting procedures, these increases are amid what seems to be a rather stable pattern of violence among youth (Steffensmeier, 2005; Advancement Project, 2005) in out-of-school settings and with reported declines in rates of violence throughout most of the 1990s in school settings (Astor et. al., 2005; Skiba, et. al., 2004). Together, surveillance, academic failure, exclusionary discipline practices, and dropping

out of school have been identified as key factors contributing to bolstering of the school to prison track (Christle et al., 2005).

Surveillance in a climate of fear-driven policies is not merely the collection of information by which interventions and policies can be created. Rather, surveillance in such contexts becomes the process of watching individuals to ensure that they do something or do not do something (Grosvener & Myers, 2006). The careful documentation of students' behavior infractions for the purpose of helping students, often emerges as a cases used against student to justify medicalization and/or school exclusion (Lewis, 2003). Ideologically, the prison track's development began when social disorder was reduced to individual pathology (Lewis, 2003). This process of tracking students involves criminalizing youth through the practices discussed in the previous sections.

For many, zero tolerance policies epitomize the increased bureaucratization of punishment, the criminalization of youth, and the accompanying ideologies of individual accountability, unjust preventative pro-active policing characterized by what Garland (2001) calls the new culture and politics of crime control. These critics are concerned with the increased use of exclusion as discipline of youth, the burden on the juvenile justice system, and growth of the prison industrial complex (Marable, 2002) that are fueled by zero tolerance approaches to school discipline. Zero tolerance, ideologically and politically, shifts the problem of youth behavior from an educational problem to one of law enforcement, creating a "schoolhouse to jailhouse track" (Advancement Project, 2005; Brown, 2003; Christle, Jolivette, & Nelson, 2005; Lipman, 2004; Noguera, 2003).

The Discipline Gap and Urban Students of Color

The ideological fixation on controlling potentially dangerous students or populations before they commit acts of violence has taken a disproportionate toll on Black and Latino students, especially those in urban schools (Ayers, et. al. 2001; Casella, 2005; Fenning & Rose, 2007; Ferguson, 2001; Gregory & Mosely, 2004; Johnson, Boyden, & Pitts, n.d.; Monroe, 2005; Morris, 2005; Noguera, 2003; Males in Ginwright, et. al. 2006; Reyes, 2006; Sheldon, 2004; Skiba, Michael, Nardo, & Peterson, 2002; Verdugo, 2002). In particular Black males are disproportionately overrepresented in receiving reprimands from teachers (Ferguson, 2001; Gregory & Mosley, 2004; Monroe, 2005) and being issued punishments resulting in suspension, expulsion, and placement into alternative learning spaces (Morrison & D’Incau, 1997; Mendez & Knoff, 1997; Skiba & Peterson, 1997; Skiba, Michael, Nardo, & Peterson, 2002). Students attending schools in districts serving large minority student populations (e.g. urban) are subject to becoming ushered into the increasingly complex bureaucratic school discipline system, itself a by-product of the zero tolerance agenda.

A Critique of the Literature

This two-fold critique of the literature is concerned with 1) the lack how we can know whether school discipline policies can produce desirable outcomes and 2) with the inability of the research community to establish a framework to counter the dominance of the zero tolerance discussion. There is consensus that discipline and safety are important for schools and members of the school community. It has also been well established, through a strong body of research conducted from various perspectives, that the zero

tolerance agenda has not only fallen short on the goal of achieving safe schools but has harmed an unprecedented number of students in its questionable efforts.

Yet, critics of the zero tolerance agenda have not offered a compelling alternative framework that allows for stakeholders to arrive at a way of assessing if the complexity the school safety problem can without a doubt be addressed. Part of this problem is that the vision of what constitutes a safe school remains blurred. The other part is that the recommendations found within the literature appear miniscule in the face of the zero tolerance agenda's proposed solution. Zero tolerance is comprised of a clearly identifiable ideological position, a framework for policy creation and implementation, an accountability system, a discourse that is understandable and compelling, and seemingly easy to assess. Dissidents' efforts to shape school discipline policies is in large part a reaction to the compelling, over simplistic, and problematic zero tolerance agenda.

The literature does little to move beyond zero tolerance discourse(s) (Mills, 2004) to determine how discipline policies can promote the ends espoused in the literature – sound discipline and learning environments conducive to learning that do not punitively punish youth who already face educational barriers. The proliferation of school safety programs, 'alternatives,' and constant revamping of old strategies for fostering school safety and discipline in non-punitive ways exacerbate the confusion. It is the zero tolerance agenda discourse itself that organizes ways of discussing school discipline, essentially arresting the development of the field. The problem with continuing the tradition of identifying what is wrong and making recommendations that *are often actually incorporated* into the zero tolerance approach, is that the field unwittingly absolves itself of addressing several important interdisciplinary lines of inquiry. Studies

that closely consider the intersection of policy and ideology, which often requires messy and innovative methodological approaches, are scant.

Often disembodied from a serious discussion of zero tolerance, findings reported in the literature often suggest that the outcomes discussed in their findings have occurred *because of* zero tolerance policies. While this assertion is rarely challenged, it does the disservice of making conceptual leaps that leaves researchers and educators unaware of what is happening in the theoretical spaces between the policies and the consequences. New research must work to understand *the process* by which the zero tolerance agenda was set into motion, *the process* of how it continues to provide the dominant ideological framework by which discipline strategies are created and maintained and youth criminalized, and *the discursive processes* within particular policy structures.

These criticisms are in no way an indictment of the quality of research on school discipline policies in the era of zero tolerance. But they do provide entrée to the suggestion that the field would be well served by an analytical framework developed specifically for the analysis of school discipline policies, procedures, and practices. An ideal framework would translate into a highly politicized policy context with relative ease while still allowing for consideration of racial, ethnic, gender, and class discrimination to be recognized and explored. The framework would ideally value the contributions of different perspectives but consider the complexity of understanding the problem of school discipline in the era of zero tolerance. Finally, it would welcome more sophisticated and ambitious research studies as well as practical solutions to improving school discipline and safety.

With a focus on the study of policies and outcomes, rather than policy outcomes alone, studies must begin to move beyond the constrained discourse(s) of the zero tolerance agenda. Within the literature, the organizing themes and structures to accomplish this are present. They only need to be developed more fully – a goal that this research seeks to accomplish. The research concepts explored in the study were located from within the literature and thus represents a collective framework to which most of the literature has contributed in some way. This research organizes these conceptual matters into a framework for the study of school discipline policies that moves beyond zero tolerance, criminalization, and other politically charged discourses that have emerged through the filters of the zero tolerance agenda. How to reclaim the school safety problem, school discipline discourse, and policy creation are fundamental problems that the field must address directly. We now turn to an exploration of why this matter is of such great magnitude.

Statement of the Problem

New Right Tendencies and the Zero Tolerance Agenda

Beyond the simplistic notion of zero tolerance as policy, zero tolerance must be understood as a guiding perspective of school discipline that functions to sort students for their respective positions in the new global economy (Casella, 2005). Notable education scholars relate changing conceptualizations of urban youth of color, zero tolerance disciplinary approaches, and the proliferation of a student behavior industry to the trends of the New Right movement (Apple, 2001, 2004; Giroux, 2001, 2003; Lewis, 2003; Lipman, 2003; Saltman & Gabbard 2003). This research narrows the focus of these

scholars by situating zero tolerance decisively within the penalogical wing of the New Right movement (Cohen & Stanley, 2003).

The New Right and schooling in the U.S.

The New Right consists of neoliberals, neoconservatives, authoritarian populists, and a faction of the new professional class (Apple, 2003) that comprise an alliance that is responsible for school reform movements since the Reagan era. Neo-liberals, concerned primarily with the realm of the economy, are guided by a fundamental belief that market mechanisms are most appropriate for modernizing the economy. This includes deregulating and creating free market style competition in traditionally public aspects of social life connected to the economy (Harvey, 2005; Saad-Filho & Johnson, 2005). Neoconservatism captures the sentiment of economic and cultural conservatives who believe in high standards, discipline, “real” knowledge (ie. perennialist educators), and Social Darwinist competitiveness (Halper & Clarke, 2004).

Although public schooling is undoubtedly in tow with this agenda, public schooling is one of the last institutional frontiers where these goals have yet to be fully realized. Current school reform initiatives are guided by the ideologies espoused by neoliberals and neoconservatives who believe, for example, that school choice is an ideal mechanism for saving public schools. This is so because school choice options, neoliberals would argue, allow school systems to function in a more market-like fashion. The best schools would thrive. Failing schools would vanish. No Child Left Behind, high stakes testing, vouchers, and as this research argues, the zero tolerance agenda are each informed by these lines of reasoning. Buttressing these tendencies are authoritarian populism and the new professional class.

Authoritarian populism is characterized by a mistrust of the state, concern with security, traditional family values (Apple, 2000), and the imminent threat of the “Other,” and is comprised largely of Middle America. The new professional class, while not necessarily ideologically aligned with the New Right, finds ripe professional opportunities within the material expansion of the New Right agenda. New professionals acquiesce to New Right tendencies because their professional interests, economic well being, and social advancement depend on developing new technologies and methods of ensuring efficient management, accountability, and measurements to capture the “success” of the New Right reforms. Think, in this instance, of the professionals who design standardized testing materials or more closely related to this research, alternative education firms such as Community Education Partners (CEP schools) and the range of specialists that the company employs.

In the context of education, zero tolerance is aligned with the New Right school reform movement. Concerns with moral decadence, individual responsibility, accountability, standards, and discipline are addressed through specialization, corporatization, and privatization of public schools (see Apple, 2001, 2004; Giroux, 2001, 2003; Lewis, 2003; Lipman, 2003, Noguera, 2003; Saltman & Gabbard 2003). These mechanisms facilitate removal, quarantining, and punishment of “threatening” students, as is the case with poor Black and Latino adults in broader society, and is seen as the panacea for ensuring school safety. When considering the New Right perspective, it becomes apparent that the zero tolerance agenda simultaneously soothes New Right societal fears of the young Black urban male “other” while legitimating that the urban

Black male is indeed dangerous and to be feared – a paradox discussed in the Chapter 1 theoretical framework.

The zero tolerance 'agenda'

It was in the 1980s that the New Right's neo-liberalist and neo-conservative ideologically driven rhetoric and law enforcement policies severely impacted the way delinquency was conceptualized in our society (Gilmore, 2008; Sparks, 2003). Because law enforcement approaches with adult populations were thought to be successful outside of schools, similar approaches provided the New Right with a suitable solution for addressing school crime and violence: "law enforcement policy intended for adults engaged in criminal behavior has [since] been enthusiastically generalized to children in the educational system" (James & Freeze, 2006, p. 585). Consequently, zero tolerance era legislation and policy solidified (and mandated) formal relationships between juvenile justice authorities and school officials (Reyes, 2006).

In 40 states, schools are required by law to report "criminal" offenses to law enforcement officials (Reyes, 2006). This reporting is often reciprocated where law enforcement reports out-of-school incidents to schools. Through facilitating and solidifying the comingling of school officials and law enforcement, student misbehavior began to be framed in terms of violent behavior that posed threats to the safety and order of the school community, hyperbole that coalesced well with trends in academia, increased media attention, and actual events to convincingly portray school crime and safety as a new epidemic. In essence, a perfect storm of events made zero tolerance approaches to school safety appear as Gramscian common sense.

Several explanations of how and why perceptions of student behavior changed (Hess & Leal, 2003; Lawrence & Birkland, 2004) exist. Some consider how more encompassing articulations of school violence (Soest & Bryant, 1995) broaden the discussion to consider student behaviors and incidents that were once not taken as seriously, such as bullying and especially non-physical forms of violence such as teasing (Furniss, 2000), what Toby refers to as everyday school violence (2002). The more encompassing definitions of school violence, the Federal Government's concern with school violence dating back to 1978 (Gastic & Gasiewski, 2008), and amplified data collection requirements that emerged from accountability concerns (Lindle, 2008) indicate that attempts to identify and remedy the school safety problem have been (and are) likely contributors to the school safety problem.

Other scholars attribute the changing perception of schools as violent and unsafe to the increased coverage and portrayals of school violence in the media (Schiraldi & Ziedenberg, 2001; Young et al., 2002). Extremely rare high-level incidents of violence that trigger moral panics (Cohen, 2002), such as the 1999 Columbine school shootings, are particularly notable because these remain vivid episodes ingrained into the social consciousness of schooling in the United States (Aitken, 2001; Goode & Ben-Yehudah, 1994). Such events, however rare, work in tandem with media attention (Schiraldi & Ziedengerg, 2001; Young, Audrey, Lee, Messemer Roach, & Smit, 2002), to further compound the idea that school violence is an epidemic.

Gleaning from the various explanations of change, it is certain, despite uniform agreement, that student behavior has been conceptualized differently since the early 1990s. Such occurrences bolster existing fears about school violence resulting in

“alarmed parents, students, and lawmakers expect[ing that] educators respond more effectively” (Safran & Oswald, 2003 p. 361) to school violence. The irony is that the responses figure most prominently in urban school districts rather than rural and suburban locales where events that trigger moral panics actually occur. The moral panic interrupts life in these settings for a few years. Urban schools are left with the institutional legacies of moral panics (Goode & Ben-Yehudah, 1994). This explains the staying power of the policies and procedures that protect schools from the eminent threat of violence that, if present in suburban schools, must be lurking in inner-city schools.

Amongst these various explanations, the debate need not contain an identifiable center on whether school violence and the need for discipline is a matter of perception or reality, moral panic, institutional racism, class bias, and so on. Undoubtedly, it is axiomatic that the centrality of the issue is found in the interrelatedness of all of these perspectives: that is until they are moved into the school discipline policy context controlled by the New Right.

The events described here along with a genuine concern for school safety, in hindsight, helped the New Right succeed in framing the school safety, violence, and discipline debate. These events coalesced in a manner to justify zero tolerance ideology and its assumptions as the most sensible approach to achieving school safety. Recognizing the assumptions embedded within the zero tolerance approach is paramount. Paradoxically, the centrality of race is diminished as the New Right attempts to move forward policies that treat everyone the same – subjectivity has no place within this positivist paradigm. Moreover, new definitions and conceptualizations of age old

concepts and problems (such as safety) emerge unraveled, simplified, and resolved in a positivist manner (James & Freeze, 2006).

Perhaps the most basic assumption is based on the conjecture that a minority of youth have interpersonal, social, and behavioral issues that interfere with the learning processes of the majority of students (Shanker, 2003). The ‘unfit’ students are to be held responsible for their actions. This is common sense in the neoliberalist ideological framework that has succeeded in reducing larger social ills to the collective dysfunction of individuals and groups in positions of oppression. Proponents of zero tolerance policies believe that swift and severe punishment, providing a minority of students with specialized educational services, and employing a clear no-nonsense approach to discipline both protects others as well as the perpetrators from themselves, teaches the perpetrators responsibility, and provides a more conducive learning environment for a majority of students. Moreover, examples are made of students engage in unacceptable behaviors.

This surveillance of punishment teaches students what not to do and thus disciplines the entire student population through spectacle and in a panoptical fashion (Foucault, 1977). Based on theories of rational choice (Wallace & Wolf, 2005), such an approach sends a clear message about what happens when rules are broken, allowing students to make the best decision that will maximize their schooling experience. Of course, such a stance presumes that punishment will be meted out not according to race, class, disability, context, and other factors, but simply based on “objectively” observable behaviors.

By the 1990s, the New Right tendencies had reached into schools and were in full swing – school choice and privatization, corporatization of schools, militarization, the establishment of new professional specialization, and zero tolerance discipline policies were becoming staple ideas in the discussion of how to reform failing (ie. urban) schools and districts. It was only after these processes were set into motion that the wealth of research and scholarship shed light on the problems with zero tolerance approaches, both theoretically and empirically and that vociferous attacks on zero tolerance’s impact on criminalizing poor urban youth of color were launched.

The penalogical consequences of the New Right movement’s conceptualizations of poor Black urban residents as inherently disposed to criminal (and therefore violent) tendencies and their responses to this belief are well documented (see Blomberg & Cohen, 2003; Gilmore, 2007). A matter of both sentiment and legislation, new policies responding to ‘new’ threats (acts and people) disproportionately increased the numbers of U.S. citizens imprisoned for lesser offenses (ie. Drug offenses, property offenses). For example, the number of males imprisoned for drug offenses in California increased by 15 times during the 1980s despite reported decreases in drug use (Sparks, 2003). Blacks and Latinos have and continue to bear the brunt of the vastly expanded approaches to safety, punishment, obfuscation of crime and violence and its consequences (Gilmore, 2007).

In hindsight, it is no coincidence that the rise of zero tolerance policies in the military and drug enforcement run parallel with the rise of the neo-liberal school reform and precede zero tolerance policies in schools by only a mere decade. It is also unsurprising that Black males attending urban schools are disproportionately punished under zero tolerance discipline policies, exacerbating the discipline gap (Ayers, Klonsky,

& Lyon, 2000, Monroe, 2005; Noguera, 2003). Likewise, the burgeoning quasi-private student behavior service industry should have too been foreseen as it has expanded around school service in much the same manner that the prison industrial complex has expanded (Blomberg & Cohen, 2005; Gilmore, 2007; Marable, 2002).

The manner in which the zero tolerance agenda adversely affect the educational opportunities and life changes of Black males bears a striking resemblance to larger trends in society. School discipline policies and the burgeoning number of alternative educational spaces that contain students identified as threats or disruptions to the learning environment are a way of ushering a superfluous population (Duncan, 2000) of students into either segregated neighborhoods or prisons (Casella, 2005) because of fear of what they might do.

Violence is thus viewed in a positivist manner – whether it is a matter of perception becomes moot. Gastic and Gasneiwski’s (2008) research underscores the devaluation of perception by federal attempts to address the school safety problem. Their study identifies how national guidelines require measurements for persistently dangerous schools be based upon observable and objective indicators of school crime and violence, not on student self-reports, although both are important considerations for almost all academic discussions of school safety. But subjectivity contradicts the basis upon which many New Right school discipline policies are supposedly based. Instead, the case has been made that it is not objectivity that drives the policy creation. Rather it is fear (Cornell, 2006; Noguera, 2003) and the demagogy that preys on a societal yearning for safety.

Although fear as an acceptable channel for policy creation was reasserted during the conservative restoration by demagogical rhetoric and discourses of the New Right Movement, in a post 9-11 context, school safety and especially zero-tolerance matured into an official commitment to ensuring the value of safety. Safety is thought of as a value, defined as freedom from violence of all sorts including the threat of violence, to be upheld as fundamental right for students attending public schools. This is so even if it requires sacrificing large sub-populations of children in the process or infringing on dearly held rights such as probable cause and opting to pursue strategies such as random locker searches. School safety must be achieved at all costs – this is official knowledge despite little consensus on what school safety is.

Fear is the culprit that often drives people into rash decisions and policy making that may exacerbate conditions and produce unforeseen consequences (Kohn, 2004). Like the penological priorities of neoliberal and neoconservative agendas at large, school safety and discipline policies are inextricably linked to issues of race, class, gender, and geographic location. The New Right, of course only acknowledges the intersections as mere coincidence. But as described earlier, the populations most affected by prison sentencing reform have been poor and inner-city Black and Latino men. Such is also the case for their younger counterparts who attend urban public schools, especially Black males, making the question of whether or not the consequences of zero tolerance school discipline policies were indeed unexpected an untenable one. For those who fear or are indifferent towards Black and Latino males, poor people, and inner city residents (unconsciously or otherwise), zero tolerance is doing exactly as expected.

Within a policy context dominated by a New-right agenda, arguments mounted against zero tolerance using disproportionality arguments, criminalization, social justice, and other academic and leftist discourses are all but ignored. This is not to suggest in any way that these arguments and discourses are not important (to the contrary as evidenced by this work) but rather offers an explanation of why zero tolerance policies in schools have such tremendous staying power. Full participation in the school safety and school discipline debates in the era of zero tolerance requires a de-politicization of the counter discourse that preserves the essential commitments, arguments, and findings that are prominently featured in the literature.

Challenging the Field from Within:

Re-conceptualizing the Zero Tolerance Policy Debate

The identifiable problem with our understanding of school discipline policies in the era of zero tolerance is that there are no frameworks to guide inquiry of school discipline policy studies beyond the discourse established during the era of zero tolerance. In response to this problem the objective of this research is to re-articulate how school discipline policies can criminalize students through introducing and substantiating key educational concepts useful for the study of school discipline policies. The re-articulation of rule creation and modification in the era of zero tolerance as well as the understanding of school and classroom level processes that produce an overrepresentation of Black students in school discipline systems is informed by a culturally and racially conscious perspective.

To explain the phenomena described within the literature, such as the expansion of services aimed at managing student behavior, this research relies on two key concepts:

net-widening and net-deepening. Along with the re-articulation of school discipline systems as school discipline nets, the concepts provide a framework for analyzing school discipline policies to evaluate the effectiveness of one or several policy strategies and practices. Both the framework and analytical concepts are indebted to the culturally and racially conscious body of critical literature that fully recognizes and considers issues of race, class, and gender, in its analysis; this framework continues in this tradition in an implicit fashion, for reasons discussed in this review.

It is my hope that these concepts will contribute significantly to school discipline policy studies and ultimately achieve the goals of improved discipline, high quality education for all students, and safe schools. Through this process, it is important to consider that mitigating both the racist tendencies of policy creation and reducing the effects of school discipline policies also de-criminalizes the Black and Latino populations that have become criminalized through the creation and modification of punitive policies in the era of zero tolerance. With these considerations in mind, we now turn to an explanation of the school discipline net.

The School Discipline Net

Within the literature, there is much discussion of alternative educational spaces, behavioral modification programs, specialized school personnel, and disciplinary practices that characterize school discipline systems. I conceptualize the school discipline systems - components (programs), processes, personnel, and procedures - as a net that represents a “conceptual space of trouble” in which many youth find themselves for violating school rules. When a student gets into trouble, they fall into the school discipline net. Different districts, different schools, will have different size discipline

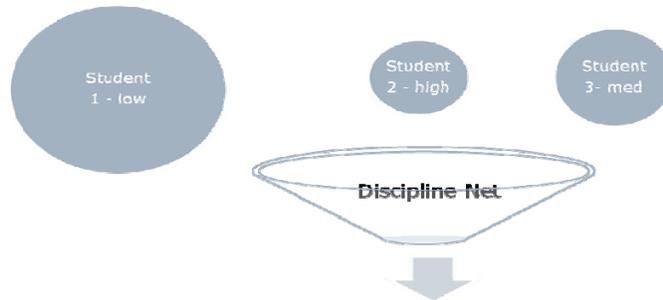
nets. Based on the literature, one could imagine that urban districts have sizably larger discipline nets.

Conceptualizing the various aspects of a school discipline net allows for a comprehensive examination of how a net looks. Studies that examine zero tolerance era discipline policies including studies of the outcomes of uniform policies (Bodine, 2003; Brunsmma, 2003), metal detectors and surveillance technologies (Lewis, 2003), bullying and various anti-bullying initiatives (Dake, Price, & Telljohann, 2003), the use of suspension and expulsion, removal of students (Raffaele-Mendez, 2003; Skiba & Peterson, 1997) and so on could be understood as studies that examine different components and changes within the school discipline net. The studies need not make zero tolerance a central part of their analysis. What is important is that the studies seek to understand the effects and outcomes of school discipline policies in a particular historical moment – the era of zero tolerance. The outcomes remain the same: the expansion of the discipline policies and procedures that are likely to produce a given set of outcomes.

Information about school discipline nets could be compiled by taking an inventory of the various discipline related components contained within a district. For example, simple per pupil ratio counts of how many school resource officers, alternative education schools, metal detectors, specialized school personnel, and so on would allow for a researcher to get a snap-shot of a district or school's discipline net. Also, practices and procedures could be observed such as random locker searches, school dress code enforcement and related infractions. For the sake of illustration, consider Figure 2-1 as we move forward in our discussion. Figure 2-1 shows three circles which represent a hypothetical student population and their propensity to get into trouble. Below the

students is the conceptual space of trouble that they can find themselves in for breaking school rules.

Figure 2-1. Students and the School Discipline Net



Students in bubble 1 represent the vast majority of the student population. These students are disinclined to get into trouble. Students in bubble 3 are students that operate on the fringes. They are neither serious troublemakers nor threats to the learning environment, but may occasionally misbehave or break school rules. Therefore, the likelihood of these youth getting into trouble is relatively greater than group 1. They also comprise a smaller segment of the school population. The final and smallest bubble, number 2, contains the relatively small number of youth who do habitually interrupt the learning and safety goals of the school. Each bubble is positioned above the discipline net according to the potential likelihood that they will get into trouble. Bubble 1 is removed from the discipline net. Bubble 3 hovers slightly over the discipline net. Bubble 2 is centered to illustrate the high likelihood that these students will get into trouble.

Net-widening of the School Discipline Net

Based on a review of relevant literature, discipline nets of the past have been small relative to school discipline nets of today. This is in large part because of the net-

widening and net-deepening (Cohen, 1985; Sheldon, 2004) effects of zero tolerance era disciplinary reform and policy making. The concept of net-widening, also referred to as widening the net, is used widely within the study of criminology and the field of youth justice. Within these fields, net-widening describes the phenomena of increasing the number of youths subject to official control that result from more far reaching efforts (rules, procedures, enforcement, and implementation) to deter and manage delinquency (Van Dusen, 1981).

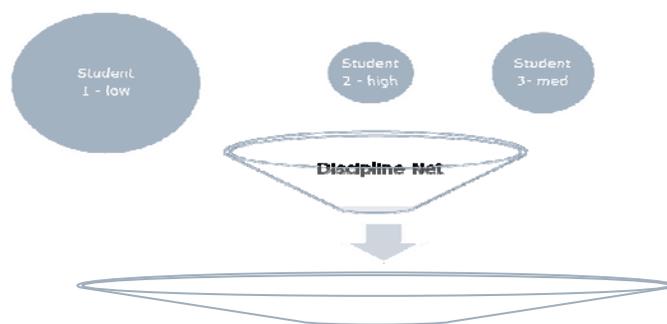
Within criminology, net-widening is understood to arise in two ways. First net-widening can result when status *offenses* and youth engaged in sub-categories of criminal activity (e.g. anti-social behaviors, low level offenses such as loitering and noise violations, also known as nuisance laws) are targeted by social service agencies and law enforcement in an attempt to deter more serious criminal activities and minimize youth delinquency. Bullying is an example of such targeting in schools. Once thought to be a low-level every day school offense, targeting bullying to prevent escalating acts of violence is a common strategy in schools. Second, net-widening can result when juvenile disciplinary systems become strained and attempt to reduce the number of youth in state institutions by introducing “alternatives” to adjudication.

Within schools, net-widening refers to changes in disciplinary policies that yield increases in the number of possible disciplinary infractions and scope of rules that grow the number of students likely to fall into the discipline net. An example of a zero tolerance era policy that widens the discipline net is the introduction of school uniforms. Without a uniform policy, considerably fewer students are likely to get into trouble for violating dress related rules. Students who otherwise would not engage in misbehavior

may violate the dress code purposefully or mistakenly. A visual representation of net-widening is illustrated in figure 2-2. Take note that the depth of figure 2-1 and the depth of figure 2-2 are the same. Only the width of the discipline net has changed, resulting in a more voluminous net that more of the children above can potentially be caught in.

Net-widening and net-deepening processes involve the creation of new modes of youth behavior management and the re-labeling of behaviors to accommodate new structures for disciplining youth. A similar case can be made for the targeting of youth in schools. Figure 2-2 provides an example of how a discipline net expands as a consequence of targeting behaviors. The conundrum of the widening phenomena is that if low-level misbehaviors are targeted, it decreases disorder and deters the likelihood of crime and violence (Chen, 2008). But it also means, holding student behavior constant (although the literature concludes that youth violence has declined), that more youth are more likely to get into trouble – students in bubbles, 1 and 3. Notice that the high risk students' likelihood of falling into the net remains unchanged. The net-widening then impacts students who would have otherwise not fallen into trouble, while having no effect on the students who are most problematic.

Figure 2-2. Net-widening of the School Discipline Net



Within schools, net-widening can derive from expanding existing categories, such as fighting to assault and simple assault and also by the addition of new categories such as bullying and threats against society. An example is that in many states, zero tolerance stances against guns and weapons have expanded to include nail clippers, nail files, and pocket knives (Casella, 2003) and a host of other objects, such as certain types of pencil sharpeners (Kajs, 2006). Net-widening in the school context only considers the likelihood that a student gets into trouble. This explanation differs somewhat from the explanation of net-widening found in the literature, because I tease apart the addition of services, personnel, etc. into distinct phenomena, net-deepening, for reasons to be explored shortly.

Despite the overarching intention of disciplinary strategies such as targeting low level behaviors (which many research reports suggest schools do without fully explaining *how*), which is to reduce the number of youth committing serious offenses and to deter youth delinquency, the outcome has proven to have additional and sometimes oppositional effects (Van Dusen, 1981; Macallair & Males, 2004). Instead of resulting in fewer youth coming under official control, such relabeling, targeting, and commitment to ‘alternatives’ (supplements may be a more accurate term) although often well-meaning, produce a net-widening effect and create the conditions whereby more youth get into trouble.

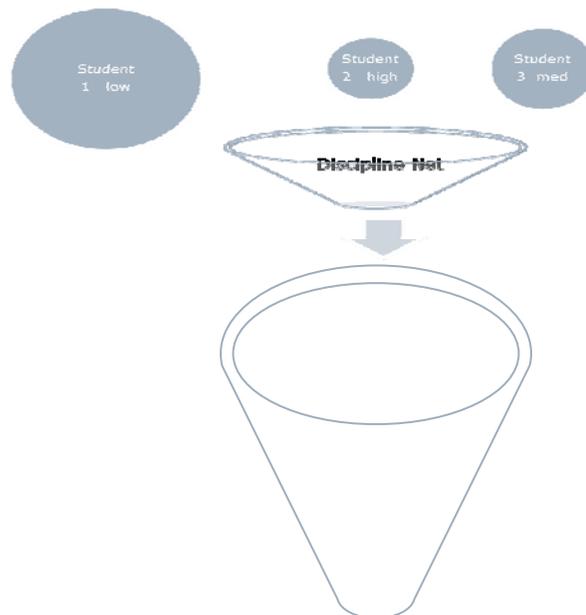
Net-deepening of the Discipline Net

Net-widening effects capture much of what the zero tolerance literature describes, but the conceptualization here breaks from the generally held way of discussing net-widening by offering an additional layer of analysis. Net-deepening, a concept introduced into the field of education in the course of this research, contributes to the current

research on zero tolerance era school discipline policy expansion (net-widening) by seeking to understand how much more severely students might be disciplined rather than simply asking how many (more) students are being disciplinedⁱ.

In the school context, net-deepening refers to the likelihood that disciplinary policies absorb changing perceptions of the quality of student behavior that result in more severe responses to disciplinary infractions. For example, re-defining a fight as an assault characterizes the act as more criminal and elicits more severe disciplinary responses. This policy decision not only creates a new infraction (net-widening), but instead it deepens the seriousness of the act of fighting. Figure 2-3 illustrates net-deepening. In this illustration, the width is the same as the width in Figure 2-1. The depth has changed in a way that although not encompassing a larger number of youth as punishable, works to punish high trouble youth more severely.

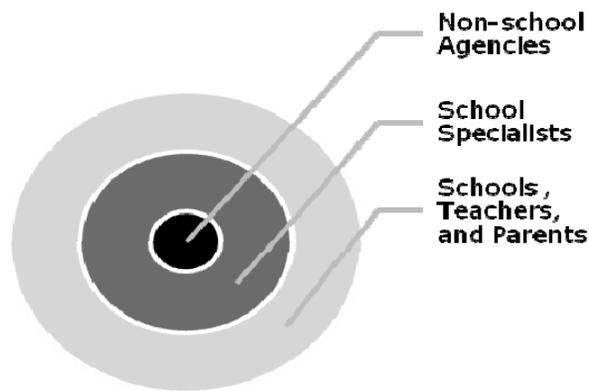
FIGURE 2-3. Net-deepening of the School Discipline Net



Targeting and punishing the youth in bubble 2, the threats to the school environment seems plausible. Some may rightfully have concern for the individual student, especially regarding the severity of the disciplinary intervention and its likelihood of working adversely against a student's educational interest. It is well documented that clients experiencing official control under corrective programs often become stigmatized and move on to more serious offenses relative to offenders that have short-lived or no experiences with such services (Macallair & Males, 2004; Van Dusen, 1981). Thus removal and containment are especially detrimental (Casella, 2005) for school aged youth. But in the era of zero tolerance, removal and reporting to specialists and juvenile justice agencies as a means of punishing misbehavior has become acceptable practice, codified in codes of student conduct and school safety procedural manuals.

An overhead view peering into the discipline net is useful in exploring the proliferation of the student behavior management industry that accompanies the deepening of a school discipline net. Figure 2.4 shows concentric rings that represent different layers of disciplinary experiences. Around the outer ring are mainstream (ie. traditional) disciplinary personnel. Teachers and parents are located in this sphere. These people are familiar with the students and best able to exercise moral authority over youth (Arum, 2003).

FIGURE 2-4. Overhead View of the School Discipline Net



The middle ring contains school specialists, many of whom could be considered new professionals (Apple, 2003) whose interests are in correcting and managing student behavior. Students experiencing this level of corrective action will encounter adults who they are less likely to know and may exercise moral entrepreneurship in their diagnoses of how to “fix” the student’s misbehavior. Finally, non-school agencies can be a literal black hole for educational researchers. These spaces may be community organizations, private and quasi-private alternative educational organizations, law enforcement, or other services and institutions that have formally established relations with schools but do not necessarily have accountability to schools or to the public. Obtaining trustworthy or sufficient information about treatment outcomes and/or high quality data thus becomes problematicⁱⁱ.

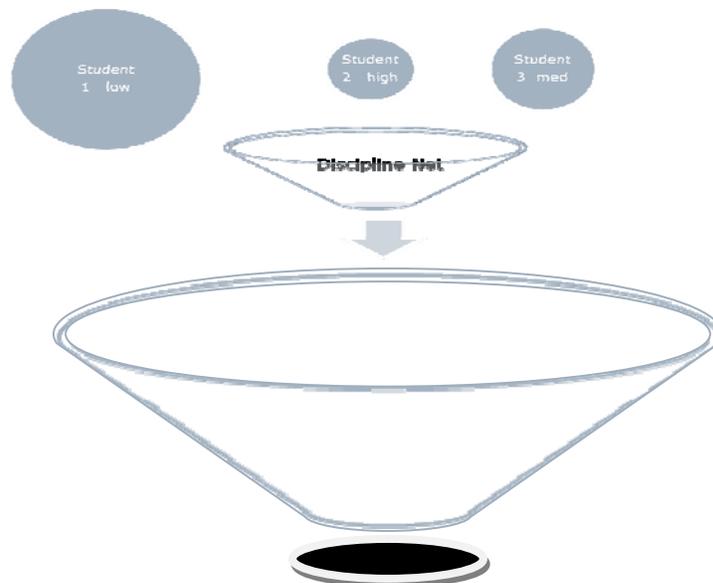
A hint that net-deepening may be a consequence of school discipline policy creation is the increased use of removal as a disciplinary strategy. The record breaking numbers of suspensions, expulsions (Mendez & Knoff, 2003), and reported incidents of disciplinary infractions, reported in the literature is troublesome. Since many of these removals constitute non-violent acts or (Mendez & Knoff, 2003; Toby, 2002; Winbinger,

Kaysiyannis, & Archwamety, 2000) or what used to be considered everyday acts of school violence (Toby 2002) the targeting of students in bubble 2 appears to be having an adverse effect on other students as well. Imagining how net-widening and net-deepening interact provides a possible means of understanding why this is the case.

Net-widening and Net-deepening of the School Discipline Net

As illustrated in figure 2-1, a wider discipline net means that students are more likely to get into trouble. A deeper discipline net, as illustrated in figures 2-3 and 2-4, means that getting into trouble has deeper consequences: falling deep(er) into trouble is more likely and thus getting out of trouble is more difficult for children and their families. Together, net-widening and net-deepening of disciplinary policy and practices yield greater consequential space for youth to get into trouble and into deeper trouble. Figure 2-5 illustrates the increased volume of discipline when both of these phenomena interact (not drawn to scale).

Figure 2-5. Net-widening x Net-deepening of the School Discipline Net



Students in bubble 1 are, as a consequence of net-widening and net-deepening, not only more likely, to get into trouble, but more likely to fall deeper into the discipline net. The same holds for students in bubble 3, although they will fall into deeper trouble as the changes have produced a near certainty that they will get punished even if their behaviors remain unchanged. Finally, students in bubble two are no more likely to be punished, but are more certain to be punished more severely and more immediately ushered to the bottom of the school discipline net, a space that essentially pushes students out of mainstream schooling environments, limiting their educational opportunities. This logically proves that all students are more likely to be adversely affected in some by way wider and deeper school discipline nets. This directly challenges the zero tolerance agenda's understandings of why more punishment of more severity improves educational experiences for the good students. Within this framework, it is apparent that the majority of good students are more likely to be punished too.

Beyond Zero Tolerance

Although few dispute that zero tolerance has had a devastating impact on the education of urban youth of color (Christle, Neslon, & Jolivette, 2004; Skiba, 2001), the concepts of net-widening and net-deepening offer an alternative explanatory tool for examining the potential harm of discipline policy reform. I have carried a discussion of what the literature explains is occurring without employing the concepts that have become characteristic of the zero tolerance discourse.

Still, this framework provides room to acknowledge that Black males are disproportionately overrepresented in receiving reprimands from teachers and being issued punishments resulting in suspension, expulsion, and placement into alternative

learning spaces (Morrison & D’Incau, 1997; Mendez & Knoff, 1997; Skiba & Peterson, 1997; Skiba, Michael, Nardo, & Peterson, 2002). It acknowledges that policies criminalize all youth but that Black youth are most often the victims (Ayers, et. al. 2001; Casella, 2005; Fenning & Rose, 2007; Ferguson, 2001; Gregory & Mosely, 2004; Johnson, Boyden, & Pitts, n.d.; Monroe, 2005; Morris, 2005; Noguera, 2003; Males in Ginwright, et. al. 2006; Reyes, 2006; Sheldon, 2004; Skiba, Michael, Nardo, & Peterson, 2002; Verdugo, 2002) of the net-widening and net-deepening process. Finally, students attending schools districts serving large minority student populations (e.g. urban) are subject to becoming ushered into the increasingly complex bureaucratic school discipline net, itself a by-product of zero tolerance. In this way, a widening and deepening school discipline net can be said to act discriminately on entire districts serving poor youth of color.

School discipline policies that haphazardly adopt and expand behavior management procedures, surveillance techniques and technologies, personnel, and official rules, run the risk of targeting youth by casting a wider, deeper discipline net. By increasing the likelihood that students will commit and be punished more severely for discipline infractions, policies create another barrier, more all-encompassing discipline nets, to educational success for urban students. If educators concede that successful discipline in the school context should promote positive rather than negative educational outcomes for all students and that even disciplinary moments should provide learning experiences for students, then a case can be made that wider and deeper school discipline nets potentially adversely affect the educational experiences of *all* students.

Employing and developing the school discipline net, the net-widening, and net-deepening concepts in the era of zero tolerance is important because it allows for new possibilities and ways of discoursing to emerge within the policy context. Questions can shift from student behaviors to how much more likely children are to get into trouble and how much more difficult it may be for them to get out of trouble without employing terms such as criminalization which work well within the academy, but not necessarily within policy circles.

While the framework does not resolve the question of whether schools are more or less safe as a result of zero tolerance policies, it allows us to understand how the policies affect the student populations in districts where zero tolerance policies are overly punitive. In addition, it allows us to identify such districts in comparison to less punitive districts. Moreover, this de-politicized framework offers the opportunity to insert a critique of the zero tolerance agenda into the highly contested educational policy context dominated by the New Right. In these ways, the discipline net provides a suitable conceptual space for understanding how changes in disciplinary policies target and impact differently upon various student populations and for discoursing about these changes. In the next chapter, I provide a detailed explanation of how I provide further credence to the concepts presented here.

CHAPTER THREE

RESEARCH METHODOLOGY

Introduction

This research analyzes fifteen district-wide codes of student conduct to describe the net-widening and net-deepening effects of changes to school discipline policies in the era of zero tolerance. I focused on how the School District of Philadelphia discipline policy discourse surrounding student behavior changed the structures of discipline over the past 16 years. I analyzed codes of student conduct (COSC) from the School District of Philadelphia, issued from the 1991-92 school year to 2007-08 school year to answer the following research questions:

- How has net-widening – the changes in school discipline policies that result in additional and more encompassing rules and infractions - changed the school discipline net over time?
- How has net-deepening – the changes in school discipline policies that result in increasingly severe corrective actions - changed the school discipline net over time?
- Together, how do net-widening and net-deepening effects contribute to restructuring the school discipline net (discipline system) and what are the implications of this restructuring for students attending urban public schools?

To answer these specific questions, I employed the research method of ethnographic content analysis. Initial coding was conducted using a directed approach (Hsieh & Shannon, 2005) based on concepts derived from a review of relevant literature.

Subsequent rounds of coding and data analysis were based on emergent trends and themes discovered during the data analysis process. This chapter provides a description of the sources of data, a rationale for the research methodology, and detailed descriptions of data analysis and reduction techniques that yielded the findings of this research.

Data

Codes of Student Conduct

To answer the posed research questions, I collected and analyzed School District of Philadelphia's Codes of Student Conduct from the 1991-92 school year to the 2007-08 school year. Codes of student conduct were chosen based on a purposive sample conducive to the time frame and theoretical orientation of this research. After numerous visits and phone calls (and being told repeatedly that the codes did not exist) and working closely with the government documents specialist at Temple University's Paley Library, I learned the whereabouts and protocol for collecting codes of student conduct.

Using the guidelines and language of the freedom of information act, I submitted a written request to the office of general counsel of the School District of Philadelphia requesting code of student conduct documents ranging from 1990 to present (at the time it was 2005-06). Approximately two weeks later, I was invited to collect the documents (except COSC 1995-96 and COSC 1996-97: the school district reported they could not locate documents for these years) for a nominal photo-copying fee from the school district central office.

These codes of student conduct are appropriate documents for several reasons. Codes of student conduct represent a centralized official statement of behavioral expectations and appropriate responses presented as rules and corrective actions. Codes

of student conduct, like other official school texts, constitute sites where official school knowledge is legitimated. These codes establish and shape the official discourse on student discipline and related policies. Across time, the codes of student conduct consider perceived shortcomings of disciplinary policies and reflect the cultural politics of previous years of issuance. Chronological changes in discipline policy should be reflected in the changes from document to document. Finally, these documents are published and released annually to the school community and general public and represent continuity of knowledge production and dissemination.

The codes of student conduct also shape and are shaped by the discourses surrounding school violence and safety at the district level. The general public discourse as well as language, requirements, and process at the national and state level that impact disciplinary policy should be represented within these documents along with any changes in reporting requirements. Thus district level codes of student conduct should be reflective of both national and state priorities concerning discipline as well as specific to the unique issues of the district.

Methodologically, examining the codes of student conduct allows the underlying message to be understood via changes in school discipline policies. Essentially, the changing message of what constitutes appropriate and inappropriate student behavior is found within these documents. When a rule or corrective action is modified, inferences can be made concerning how and why particular aspects of the policy changed as it did. In the context of the official school documents, such modifications signal either changing perceptions of youth or are responses to actual events of cultural political conflict that policy makers recognize and attempt to correct. In either case, the documentation of the

changes presented in official texts position the need for changes as positive truths, giving credence to official knowledge espoused in schools.

Codes of student conduct represent subjective communicative artifacts that are important in understanding how the phenomena of student behavior is co-constructed and understood by the message creators and message receivers. In this research, codes of student conduct are positioned as official statements that provide a communicative function that is concerned with clarifying for the school community issues such as what constitutes inappropriate school behaviors, what misbehaviors are of greatest concern, and what responses to misbehaviors are deemed acceptable. Over time, priorities over these issues change.

The codes of student conduct are central documents in most school districts. They are important documents circulated to the school community in the School District of Philadelphia. Although it is unclear if the codes are widely read amongst the school community, the code of student conduct represents the standard by which discipline should be viewed and handled according to the decision making parties of a school district. A lax disciplinary policy probably reflects either a lack of concern or a lack of clarity about issues of school discipline, perhaps suggesting a perception that such issues are not pressing or that the school district lacks the capacity to identify or address disciplinary issues. More elaborate and complex codes of student conduct suggest that addressing discipline and managing school discipline is an issue of concern to which much attention is given – an indication that the perception policy authors hold that school discipline is an area for much concern and also reflects the presence of capacity to manage discipline or a commitment to develop such a capacity by expanding the

behavior management functions of the school district or partnering with outside agencies who are willing to fulfill these services.

The district code of student conduct serves as the staple of establishing expectations for student behavior and can be considered the basis by which behavior related decision making at the school, teacher, staff, and student levels derives. Although many disciplinary policy documents can exist in a school district, the issuance of the district code of conduct stands as the basis by which other documents are created (in SDP, schools are allowed to create their own code of conduct, but they must be based on the district issued code of student conduct). For example, high school codes of student conduct in the School District of Philadelphia make reference to the district code of conduct for clarity on issues. In addition to the official codes of student conduct, additional policies may be developed during the course of a school year in response to district events. These documents or the concerns contained within are often incorporated into the following year's official policy code.

I used the School District of Philadelphia (SDP) Codes of Student Conduct for several chief reasons. Based on existing literature, discipline policies in the era of zero tolerance are proven to have a disproportionate impact in urban school districts serving large Black and Latino student populations (Christle, Neslon, & Jolivette, 2004; Skiba, 2001). Philadelphia, currently the 8th largest urban school districts in the United States (www.phila.pa.k12.gov), serves a minority population of approximately eighty five percent. Given both the number of public school students in the district and the high percentage of racial/ethnic minorities, the majority of which are Black, the district would be expected to have a relatively high number of students experiencing disciplinary

moments, a probability that suggest net-widening and net-deepening may be a problem in the school district.

Philadelphia is similar to other urban districts in that share in the challenge of establishing strong school safety and school discipline policies. Many urban districts have adopted what a majority of researchers regard as questionable policies in an effort to address the existing issues of school violence, safety, and student misbehavior. Although this research uses SDP as a case study, the research methodology and knowledge generated through this research study can be used to better understand school discipline policies in districts that share similar student population characteristics or that are concerned with improving school discipline policies in a manner that is conducive to achieving improved outcomes without creating increasingly punitive discipline policies and practices. For both methodological and practical reasons, SDP is a suitable site to study school discipline policies.

SDP codes of student conduct have been modified extensively since 1991, both in policies, procedures, and format; however, key components of the codes are consistent across time. Here, I offer a description of code of student a code of student conduct, using COSC 2005-06 as an example. The COSC 2005-06 was produced under the guidance of the School Reform Commission and may not share the same characteristics as previous versions of the code of student conduct. This may especially be the case for code of student conduct documents produced prior to the School Reform Commission takeover of the School District of Philadelphia.

A district's or school's ability to administer a successful disciplinary policy suggests that the current version of the code of student conduct is more comprehensive

than previous versions (Ceisler, 2006). Thus, the description of the following code of student conduct could be considered to be additive to the content of previous versions. Both the organizational structure of the guide and the content will be described with the latter being the focus of this description. The COSC 2005-06 is organized into seven sections that appear in the listed order:

Section 1: Introduction

Section 2: Rights and Responsibilities of Student

Section 3: Student Infractions and Consequences

Section 4: Discipline Procedures

Section 5: Truancy Reduction Initiatives

Section 6: Policies, and

Section 7: Frequently Used Numbers

The bulk of the document is comprised of the Sections 3 and 4, followed in terms of bulk of content by sections 1, 2, and 6. The remaining sections act primarily as reference sections designed to point readers to more detailed information that exists outside of the code of student conduct.

Sections 1 and 2: introduction and rights

The Introduction to the document provides a policy statement, purpose and scope of the code, a statement of equal opportunity, and a glossary of terms employed throughout the document. The scope of the code establishes the places, times, and circumstances to which the code of student conduct applies. The glossary of terms establishes specific language to provide consistency throughout the document and explanations for the acronyms used in the school district's discipline discourse. Section 2,

as the title suggests, provides an overview of students' rights and responsibilities, and establishes the same for parents as well as generally lays out the rights of victims in school related offenses.

Section 3: rules and corrective actions

Student rules and corrective actions are categorized into one of two sub-categories that are broken up based on the severity or level of the offense. The level of the offense also corresponds to the severity of the remedial measure that will be exercised by the district to intervene in the student's behavior. The rules and the interventions used in response to rule violations are presented in two separate sections. First, the prohibitions are presented in a subsection of section 3. Secondly, the rules are presented in a table format that shows the related intervention (subsection 2). Section 3, subsection 2 presents first the interventions for grades K – 4 and secondly, intervention tables applicable for grades 5 – 12.

There are two sections concerned with spelling out prohibited actions called “Level 1 Rules” and “Level 2 Rules” that correspond to the level of offenses. “Level 1 Offenses” are less severe than “Level 2 Offenses.” Under each category, a listing of rules specifies what is meant by each rule listed. Following a listing of rules, charts that list both the rule and a list of interventions are presented. The first list pertains to grades K-4 and the second set of tables pertains to grade 5 and above.

Sections 4-7: procedures, truancy, policies, and frequent numbers

While Section 3 details what student infractions entail and what are considered appropriate responses to violations of the code, Sections 4 -7 provide guidelines for implementation of interventions. Procedures outline proper protocol for suspensions,

expulsion, transfers to other schools and transfers to alternative schools. In addition, procedures are outlined for students with disabilities and students that become involved with code violations that are referred to juvenile justice, criminal justice, and other state agencies that address issues of juvenile delinquency. The code addresses truancy issues in Section 5. Section 6 addresses policies such as anti-discrimination and anti-harassment, locker search policy, and provides a protocol for students to express grievances for issues pertaining to their schooling experience (a form is included at the end of the Code of Student Conduct). Section 7 presents frequently used phone numbers relating to school climate and safety.

Key Informant Interviews

To triangulate the content analysis data and deepen my understanding of the net-widening and net-deepening effects of school discipline policy changes, I conducted interviews with three key informants. I relied on the interviews to gain insights about the history of school discipline reform efforts, code of conduct authorship, and key events and decisions that have shaped the nature of school discipline reform.

Gaining access to reliable informants proved to be a difficult process. I began my attempt to access possible informants in March 2008. Through using established contacts, I secured two people who agreed, reluctantly, to be interviewed for this research. Follow up attempts with both individuals, one a high ranking official with the school police and the other a district administrator in the office of school safety and discipline, were unsuccessful. By October 2008, I made a second round of attempts to identify individuals with insider information about school discipline policies. To identify potential interviewees, I conducted internet searches for discipline related documents about SDP.

Within the documents, I recorded names of authors, consultants, and noted the offices and agencies responsible for producing various aspects of the reports, memos, letters, and articles I discovered in my research. For reports and other documents that did not credit individual authors, I noted the office or organization listed as the producers of the document.

From late October to mid December 2008, I began making telephone calls to the various individuals and organizations I had listed in my database of contacts starting with the top choices for key informants and moving down the list. Numerous telephone calls to the district, to the PA Safe Schools Office, proved unfruitful. Determined to conduct interviews to strengthen the research project, I focused my energy on contacting district officials only. I left messages on various voicemails and with numerous secretaries for six consecutive weeks. In December, I visited the school district in person, where front desk security officers refused to allow me to enter the building. I explained my several attempts to contact the individuals and provided the uniformed security officer with a list of names and phone numbers of people with whom I was attempting to make appointments with.

The security officer took the list of names from me and called each office directly. He informed me that if I did not have an appointment, I would have to make arrangements with each person I was interested in speaking with. Finally, he asked me to wait for a few minutes, during which time, he wrote down direct phone numbers to each of the individuals I had listed on the paper. While still at the district, I sat in the foyer and called each person on their direct line using the telephone numbers I was provided. I spoke with three different assistants. Each informed me that they had received my

messages and would speak with their superiors to arrange a time to meet. All follow-up attempts were unsuccessful.

I accessed the three informants who are included in the study through personal contacts in my graduate degree program. Using a colleague as a conduit, I sent out an email to a group of principals and administrators explaining my study and asking for their participation. Only one person responded and her interview is contained here. I personally know one informant who has worked in the district for several years and she recommended the third participant to me. The difficulty I faced getting interviews was not surprising: such is the cultural politics of school discipline. School discipline is a sensitive issue about which few people want to speak in any official capacity. However, both the experience of trying to access informants and the information informants revealed enhance the quality of the project immensely. Using the insider knowledge of the disciplinary processes and changes gleaned from these key interviews, I contextualized to the study and complicated the findings of the content analysis.

At the time the interviews were conducted, two of the informants were employed at the school level with the School District of Philadelphia. The first informant, Shannon (pseudonym), works as an administrator in a middle school. The informant is a manager of non-instructional school services, an administrative position that provides oversight to all non-instructional matters of the school, including school safety and discipline. Prior to the current position this person worked at the district level as a discipline truancy liaison. In this capacity, Shannon's primary responsibility was to assign students to discipline schools and secondarily to assist as needed with other disciplinary processes at the

district level, such as attend disciplinary hearings. This informant has inside knowledge of how the school code of conduct was authored and participated in the process.

The second informant, Pat (pseudonym), has been with the district for 22 years and has been an elementary school principal at an empowerment school for the last four years. Because the school has no assistant principal, Pat is required to oversee both academic/instructional issues and non-instructional issues. Student discipline is an important part of the everyday non-instructional aspect of her job. Prior to serving as a principal, Pat worked in the central office with the facilities group focusing on regional planning. Previously, the informant worked two years in a regional office as assistant regional superintendent (then called assistant cluster leader), where she provided oversight for all disciplinary matters in the region with a particular emphasis on EH-21s, also known as disciplinary transfers (lateral transfers or school to school). Pat's responsibilities included serving as a liaison with the central officer, acting as the head hearing office for disciplinary matters, and overseeing alternative education and lateral transfer placements for K-12 students.

The third informant, Erin (pseudonym), is a former employee of the office within the district responsible for handling all disciplinary matters and issues in the district, including creating and overseeing school discipline policies and issuing codes of student conduct. Erin's specific duties included coordinating transfers of students to and from disciplinary schools. Erin also played a role in creating school discipline policies and decision making and a peripheral role in revising and editing codes of student conduct. The informant worked in the position for almost 5 years before leaving.

District Level Data, Discipline Related Documents, and Secondary Reports

The final source of data collected for this research project include various types of district level data collected by and on the School District of Philadelphia. In addition to district demographics, incidents of violence, and performance data, I also drew from secondary reports. Discipline related documents, such as public memos, EH-21 forms, district issued position statements, district-wide public correspondences, and other school discipline related documents and forms were collected to assist with my analysis and interpretation of data. The data collected from these sources provide a snapshot of the larger phenomena and site of the study.

Combined, the informant interviews and additional sources offer a rich opportunity to explore in a more nuanced fashion, substantiate, and/or uncover inconsistencies in the research findings of the ethnographic content analysis of codes of student conduct. To be certain, the findings of the ethnographic content analysis are the central contribution of this research study, because this particular methodology is best suited to answer the posed research questions, a discussion to which we now turn.

Analytical Method

Ethnographic Content Analysis

Ethnographic content analysis is employed by qualitative sociologists that approach the analysis of documents as field work conducted in an ethnographic tradition (Altheide, 1987). In ethnographic content analysis, both numeric as well as narrative dimensions of documents are considered important units of analysis. More importantly, the approach is distinct from traditional content analytical procedures because it employs a constant comparative (Glaser and Strauss) method for discovering emergent trends and

themes while maintaining the systematic approach to coding and analysis that is characteristic of traditional content analysis. While reflexivity is seemingly self evident in all research, within qualitative methodological traditions, such approaches are embraced while such subjective engagement is often frowned upon by quantitative researchers and content analysts who prefer more systematic and replicable data collection and analysis procedures. Ethnographic content analysis recognizes the worth of both approaches and seeks to hybridize the best of both traditions focusing on validity, discovery, and research engagement across all phases of the research process (Altheide, 1987).

The unobtrusive nature of data collection, the acceptance of unstructured material data, the context sensitivity, and the ability for content analysis to handle large sets of qualitative data distinguishes this method of inquiry from other methods often used in social sciences (Krippendorff, 1980). Although, this methodology is not common in education research, it has been used recently by Raby (2004) whose research examines high school codes of conduct in her study of Ontario's Safe School Act. Specifically, she investigates "how the codes are organized, justified, and presented to students" in an effort to shape students into citizens and future workers (p. 71). Like this research study, Raby's (2004) work posits that codes of student conduct are sites of knowledge production, in her case, that fashion middle-class, gendered citizens, and marginalizes non-conformists.

Examining products of social interaction, as codes of student conduct are, is a methodological orientation derived from the ethnographic tradition (Altheide, 1987), understandably so. An ethnographic approach to content analysis thus provides a methodologically sound, interesting way to make meaning(s) of perceptions of student

behavior that moves beyond examining the discursive constructions / co-production of actionable student behavior at the level of individual interaction (Lueng & Lee 2003; Vavrus & Cole, 2002). Instead, codes of student conduct embody key ideas about these processes across time. The most appropriate manner of withdrawing the knowledge contained within these sorts of texts to explore the questions I am interested in answering is by employing a directed content analysis approached from an ethnographic orientation.

Since codes of student conduct house information about what is deemed normal acceptable behavior and what is deemed appropriate responses to students unwilling to adhere to the standards set forth, then they qualify as appropriate texts to examine regarding school discipline. Borrowing from Apple's discussion of school texts as sites where official knowledge is legitimated, the process of drafting and implementation of policy plays a role in establishing a common sense, normative understanding of counter-harmonious student behaviors as out of sync with school values and hence in need of corrective action. Codes of student conduct are products that symbolically respond to, reflect, and seek to mitigate social interactions between students and teachers at a micro-level, administrators and parents, policy makers, and society, amongst other stakeholders, in highly contested institutional spaces where various social actors come into contact (and in urban schools conflict) on a daily basis – schools.

My broad objective for this research was to understand the changes in school disciplinary policies in the era of zero tolerance and how these changes might alter the likely quantity and quality of disciplinary experiences for students. I sought to substantiate that changes in the discipline net have occurred but to also discover trends in disciplinary reform by examining narrative description and allowing a deeper conceptual

understanding of net-widening and net-deepening to emerge through the course of investigation. The process of ongoing and reflective coding breaks from both conventional approaches to qualitative content analysis, which derives codes directly from the source of data and from the summative approach of content analysis where verification is the only intended result which is then followed by inference making (Heish & Shannon, 2005).

While I sought to lend empirical evidence to theory, I also pursued exploration and discover. To accomplish this, I relied on ethnographic content analysis (Altheide, 1987). A form of qualitative content analysis that would be considered a directed approach (Hsieh & Shannon, 2005), ethnographic content analysis allows for the examination of texts as sites of knowledge imbued with power that can provide insights to the workings of a particular society. Ethnographic content analysis need not derive codes and themes directly from the data sources, but can propose theories that guide the coding and analysis of texts and across texts. Within the field of education, this approach to answering my research questions provides a unique epistemological lens by which to explore changing understandings of student behavior, school violence, and the unique contexts – from which my theoretical framework derives - in which such realities are constructed.

Analytical Concepts

In keeping with the standards of ethnographic content analysis, I examined the documents numerous times to learn the content and format of each, revisiting the documents to continually and iteratively deepen my understanding of the phenomena under investigation and to develop a initial coding scheme that reflected the nature of

school policy changes as described in the literature. Approximately one year later after close ongoing study of the documents, I located identifiable occurrences in the literature that reflected the school discipline policy changes in codes of student conduct over time and vice versa. Net-widening, a concept discovered in my review of the literature sufficed as an analytical tool, but failed to capture the depth of the changes I anecdotally found in the codes during the year long pilot study phase of the research.

Subsequently, as required by the ethnographic content analysis methods, I engaged in “reflexive movement between concept development, sampling, data collection, data coding, data analysis, and interpretation” (Altheide, 1987) that ultimately yielded categorical and unique constructs appropriate for this and other investigations of this sort. It is this process that resulted in a workable proposal to carry out the research, which focused largely on the empirical substantiation of net-widening and the development and substantiation of the net-deepening concept.

Based on the premise that the research findings within the literature relate with and to the changes in school discipline policy as reflected in codes of student conduct, I fully expected to find evidence of net-widening and net-deepening as I pursued this project. Although evidence of net-widening and net-deepening effects remains the core of the research findings, other noteworthy concepts also emerged through the course of this study adding significantly to the body of knowledge concerning school discipline policies. These unexpected sorts of micro-policy changes elaborate on what net-widening and net-deepening policy changes look like. Table 3-1 presents the names and descriptions of initial guiding concepts and emergent concepts that were used to produce the key findings of the research study.

Table 3-1. Descriptions of analytical concepts

Descriptions of Analytical Concepts

Initial analytical concepts: The initial analytical concepts for this study derived from a review of the research literature. These two guiding concepts are thoroughly explored and explained in the research findings.

Net-widening effect	Holding student behavior constant, net-widening refers to a policy change across two chronological years that increases the number of rules or infractions resulting in the likelihood that more students will be subjected to the discipline system than in the previous year(s).
Net-deepening effect	Holding student behavior constant, net-deepening refers to a policy change across two chronological years that reduces the number and/or severity of corrective actions, creating the likelihood that a student falling into the system of discipline will face increased difficulty getting out of trouble in comparison to the previous year(s).

(Continued from Table 3-1)

Emergent concepts: Explored emergent concepts offer new evidence both for and against the net-widening and net-deepening effects of discipline policy changes. Each concept was expected but is not reflected in the review of the literature – thus each constitutes a finding of this research. Each concept is reported in the research findings.

Net-neutralizing effect	Holding student behavior constant, net-neutralizing refers to a policy change across two chronological years that modifies either rules or corrective actions in manners that nullify other rule or corrective action changes, creating a likelihood that students will be subjected to neither more or less rules or infractions or more or less severe corrective actions than in the previous year(s).
Net-reducing effect	Holding student behavior constant, net-reducing refers to a policy change across two chronological years that reduces the number of rules or infractions resulting in the likelihood that fewer students will be subjected to the

discipline system that in the previous year(s).

Net-shallowing effect

Holding student behavior constant, net-shallowing refers to a policy change across two chronological years that reduces the number and/or severity of corrective actions, creating the likelihood that a student falling into the system of discipline will face less difficulty getting out of trouble in comparison to the previous year(s).

Net-widening through interspersion

Holding student behavior constant, net-widening through interspersion refers to a policy change across two chronological years that increases the number of rules or infractions resulting in the likelihood that more students will be subjected to the discipline system than in the previous year(s). However, the process of interspersion involves conceptual and official rules becoming interspersed throughout several pre-existing rules, creating the illusion that no additional rules or infractions have been added when indeed they have been. Additional research is required to provide further credence to this theme.

To arrive at and deepen my understanding of how the concepts could be applied to school discipline policy analysis, I examined COSC rules and corrective actions from 1990 to 2007. Attention was also given to the roles and responsibilities of implementation and intended audience, although these do not figure prominently into the presentation of the final results. Using the comprehensive approach of ethnographic content analysis, I sought to document net-widening and net-deepening through descriptive means and then move towards a more complex examination how the two interact. Finally, drawing from interviews and secondary data, I moved beyond the codes of conduct to contextualize and relate the findings of the content analysis to a broader discussion of school violence, student behavior, and school safety.

Coding Procedures

To assist in coding and querying of the data, I relied on Atlas.ti: the knowledge workbench qualitative data software. Since the documents I collected were provided in hard copy or in pdf., each required reformatting for compatibility with Atlas.ti. To accomplish this task, I scanned each document into Omnipage Pro. Software. This software converts images and text into word documents so that they can be manipulated and modified. Throughout the process, I paid careful attention to maintaining the integrity of each document by keeping the layout, format, and text as close to as found in the original documents as possible. Some aspects of the original documents, such as pencil and pen markings, were lost in the conversion / data cleansing process. Such instances are identified in the electronic copies of each document with the phrase “see original pdf” in brackets.

Much of the extensive primary analysis coding proved unnecessary once I moved into subsequent rounds of analysis and findings interpretation stages of the research process (which is reiterative). Describing the wholeness of the coding procedures would only reveal a wealth of mishaps and other cumbersome information that, while useful for my learning, have little bearing on the outcomes of this research. For this reason, I present select information about coding procedures by focusing on the most relevant aspects of what I coded, why I coded what I coded, and how it contributed to the final analysis and results presented in subsequent chapters.

After importing the scanned and cleaned documents into Atlas.ti and creating a hermeneutic unit, I named each primary document (COSC) based on the year it was produced. This step was crucial because it allowed for the documents to be queried for changes from year to year. Following this step, I coded the rules and infractions and

corrective actions sections during my primary analysis, focusing exclusively on the Code of Conduct proper sections. In the post-analysis that followed the initial findings, I coded the purpose of the code, scope of the code, and procedures sections.

The first challenge in coding was to determine appropriate code names that were applicable to all codes of student conduct. I examined the most recent code of student conduct examined for this study, COSC 2007-08, and decided to use official rule names found in this code of conduct as a means of imposing names on older codes of student conduct. In other words, I categorized rules based on the given title in the most recent document (COSC 2007-08). In doing this, I imposed names on rules that were previously unnamed. This process of imposing artificial names generated the names of all rules that are presented in this study, regardless of the year. For example, although the “Rule: Prohibition of Recklessness” did not exist in the COSC 1999, I coded any rules that address recklessness as “Prohibition of Recklessness.”

Name impositions allow the documents to be compared across time despite the lack of uniform vocabulary, the absence of concepts, and so on. I did take care, as needed throughout the research findings, to mention when a rule officially appears in the code of student conduct. For example, simple assault may be reported for earlier years, but only officially appear in a later year. In these instances, the official introduction of the rule is acknowledged. This step is only necessary for the rules and infractions sections because the corrective actions sections do not contain specific official names in any codes of student conduct; rather they are mere descriptions.

Using the imposed name solution, I proceeded to code the conduct rules and infractions section of each code of student conduct. The section contains statements that

present behaviors that are officially not acceptable to the school community. In addition to coding each rule by name, I assigned each rule a rule number based on the order it is listed, coded the set of rules by violation level, and indicated when a specific rule could be raised to a higher violation level. In addition, I created memos to document idiosyncrasies about rules that I noticed in each code of conduct. These basic procedures coded the documents after which I ran initial queries to prepare to analyze changes to rules and infractions.

I coded corrective actions in a similar fashion. Corrective actions are written to provide directions to teachers, staff, and administrators of what action should be taken to correct behavioral issues that pose a threat to the safety of the learning environment. Responses describe what should be done in response to particular behaviors and provide an order of procedures to be taken in the case of a rule infraction. All infractions listed in the code of student conduct present interventions or sanctions to address the infraction, but the early codes of conduct corrective action sections correspond on to violation level. Because of this, I only coded groups of corrective actions by violation level, not as individual responses to rules or infractions. The exception to this rule was that I coded the position where detentions, suspensions, transfers, and expulsions were approved responses.

Data analysis and data reduction procedures

The coding process described here provided the very basic building blocks to explore the concepts important to answering the research questions. In order to make sense of the codes, I applied the analytical constructs to the coded material. Using the Atlas.ti querying tool, I extracted information from the coded documents that yielded new

documents containing information that would later be analyzed. The most important queries that I ran asked for the software to present documents across all years that contain specific rules. For example, I ran a query to extract all passages that were coded as “prohibition of threats.” The queries provided me every instance of threats within the coded material. I proceeded to run queries for every prohibition that appeared in the COSC 2007-08.

After creating each query document, I carefully went through each set of rules highlighting any instance where changes in rules were apparent. I made memos and took notes regarding the general nature of the change observed, but stopped short of documenting with great detail the kind of change at this point. Findings such as subtraction method and addition method came at a later point in the analysis. Using this process, I developed a table to document what rules changed in what years starting with 1990 and ending with 2007. Along the x-axis of the chart, I recorded every possible infraction listed in the codes of conduct (28 total). Along the y-axis, I listed the years of each code of student conduct. I examined each rule query and filled in the squares of the chart with yes or no, the first indicating a change had occurred from the previous year and no indicating change had not occurred.

I used this systematic process as the first means of reducing the quantity of data to be examined. After this initial data reduction activity, I only examined the years containing the most yes answers. I chose the years that contained the most instances of changes from the previous years based on the assumption that these years would provide the most pertinent information regarding rule changes, since the high quantity of yeses suggested some sort of change had occurred beyond single rule changes. Based on this

exercise, subsequent codes of student conduct selected for the second stage of analysis included COSC 1992-93, COSC 1999-00, COSC 2002-03, COSC 2003-04, and COSC 2004-05. This step, however, did not resolve the number of rules that would be analyzed in the final analysis, which I sought to reduce from the 28 rules listed in the data elimination table to a more manageable number.

To narrow down the instances of net-widening reported as research findings, I examined School District of Philadelphia (SDP) school violence data to determine the most relevant rules to examine. Since Pennsylvania Department of Education (PDE) and SDP official infractions categories do not match, I used descriptions of infractions and definitions to align the categories reported to the state with the rules and incidents contained in the code of conduct. Based on district level data reported to the PDE, the majority of reported rule infractions in the most recently available school year (2006-07) involved assaults on students and staff, harassment, threats, and disorderly conduct. Combined, the incidents falling in these categories of misconduct account for 84 percent of all incidents reported in the 2006-07 school year.

Because this is where most of the reported infractions occur, I reported the net-widening (and eventually net-deepening) of rules that are closely associated with assaults on students and staff, harassment of non-sexual nature, intimidation (threats), misconduct against property, and disorderly conduct. Related rules, as named in the COSC 2007-08, are as follows: Prohibition of Disruption of School, Prohibition of Gang Colors, Prohibition of Offensive Language, Prohibition of Destruction / Theft of Property, Prohibition of Reckless Endangerment, Prohibition of Threats, Prohibition of Fighting, Prohibition of Assault (Simple and Aggravated), Prohibition of Harassment, Prohibition

of Bullying, and Prohibition of Placing Another in Danger. These are the rules that are explored beyond the first round of coding and data analysis.

After data reduction was completed, the next task of data analysis was to understand the changes I had identified within each of the selected codes of student conduct. The first concept I explored was net-widening which addresses the first research question posed for the study. This initial step of the analysis involved counting all student rules and infractions listed in the codes of conduct for each document. This step provided a count of how many disciplinary infractions exist. My rationale here was that if the number of infractions rose over the course of years, this would evidence net-widening in its simplest form.

Following simple counting of rules and infractions step, I reviewed the descriptions of the rules. Concretely, to understand net-widening as reflected across the selected COSC, I drew from the operational definition of net-widening established after my close iterative study of the relevant literature and codes of student conduct. Accordingly, I identified rule changes that produced the net-widening effect by looking for three occurrences alone or in combination from one code of conduct to the next: 1) addition of new rules (official or unofficial) or infractions, 2) clarification or specification of existing rules or infractions, and/or 3) dividing / partitioning of pre-existing rules and categories.

In similar but intensely more detailed fashion than in the data reduction stage, I scrutinized each rule and infraction to see how the rule changed from one year to the next, took meticulous notes, underlined, and highlighted as needed to identify changes in tone, additions, subtractions, re-ordering of rules and so on. I created comparison tables

that allowed me to examine the rules side by side to ease this process. During this stage of research, the descriptions provided key insights to how the rules changed in terms of conceptualization. I captured these intricacies through memoing and note taking that provided initial narratives of the findings sections. The process of coding the documents' disciplinary rule and infraction descriptions was the way that I arrived at a deeper understanding of net-widening and uncovered the emergent concepts presented earlier in this chapter. This process was not straightforward and yielded interesting and unexpected results, all of which are reported in Chapter Five of this study.

After I completed the necessary steps to understand net-widening, I proceeded to analyze the coded corrective actions to learn more about the process of net-deepening. No data reduction procedures were necessary since I examined the same codes of student conduct and years that corresponded with net-widening. The first task involving understanding net-deepening was to extract pertinent information about disciplinary responses. Relevant information, based on the literature and theoretical framework, include the minimum and maximum actions required to exercise discipline, the personnel required to be involved in the discipline process, and appropriate protocol for documenting the infraction.

To facilitate the analysis of net-deepening, I used three key pieces of information: rule violation levels (I, II, or III), corrective action orderings (ordered alphabetically), and descriptions of corrective actions. Within these units of analysis, basic changes in severity of consequences can be understood. Although net-deepening deals primarily with the analysis of changes in violation levels and descriptions of corrective actions, rule names assist the discussion by providing examples of changes that occur.

As such net-deepening, operationalized, is evidenced by one or any combination of the following across codes of student conduct: 1) addition of new corrective actions in response to rule violations or increased duration of punishment, 2) addition of new rule enforcement agents, including but not limited to teachers / parents, special school personnel, counselors, social workers, probation officers, and local law enforcement, 3) addition or increased prioritization of rule enforcement procedures such as increased surveillance and/or documentation of student behavior, and/or 4) expansion of student behavior focused programs or services (that move deeper to the center of the concentric circle – see Chapter Two’s *The School Discipline Net* section for a more detailed explanation).

As I did for the net-widening analysis, I produced comparison tables using the Atlas.ti query tool to facilitate the study of changes in corrective actions across the codes of student conduct. The net-deepening comparison tables contained lists of Level I, Level II, and Level III corrective actions. As I examined each set of corrective actions, I took notes, composed hand-written analytic memos, highlighted, underlined, and made various other markings to notate changes in corrective action descriptions and ordering across time. The results of this process produced the findings presented in chapter six of this study and reveal both expected and unexpected outcomes.

The final step of the content analysis involved examining how net-widening and net-deepening interact to produce changes during the same periods of time. This too was accomplished with the aide of comparison tables. In the same fashion as net-widening and net-deepening, I examined the data for trends to learn how changes across time can be understood in terms of net-widening interacting with net deepening. However, the

complexity of the process required a significant reduction of the data. I purposefully chose to examine one low level violation (Prohibition of Offensive Language) and one high level violation (Prohibition of Harassment) that are explored in chapter seven. I use these examples to show the complexity of how the singular concepts net-widening and net-deepening relate and interact.

Contextualization of findings

After completing the first round of data analysis and while writing up a preliminary draft of findings on net-widening and net-deepening, I conducted three in-depth interviews with key informants to deepen the analysis of the findings. Using the findings from interviews as a springboard for enriching the analysis and discussion about how the changes in school discipline are taken up in practice and if they indeed contribute more punitive disciplinary experiences for youth, I re-analyzed the net-widening and net-deepening trends. I incorporated the manners in which informants described how different aspects of the code of student conduct rules and corrective actions could possibly be taken up in practice in the net-widening and net-deepening findings chapters.

All interviews were conducted in January 2009 in Philadelphia, PA. The interview questions sought to understand professional background, discipline discourses, safety discourses, historical perspectives on discipline in the district, disciplinary policy decision-making, and code of student conduct authorship and relevance. The interview protocol can be found in the appendix of this document (APPENDIX A). Interviews lasted from 45 minutes to 1 hour in length and were audio recorded with a digital voice recorder. Using the voice recorder software, I imported each interview onto my computer

and converted each to an mp3 file. I listened to each interview several times and then transcribed each interview and developed coding themes based around the interview protocol.

The initial round of coding was based on a grounded approach. I read the interviews and coded each section with one of the following codes: safety discourses, discipline discourses, historical information, policy authorship, relevance of codes of student conduct. In time, as I reviewed the transcripts numerous times, disciplinary *ps* (personnel, practices, policies, perspectives) emerged. Subsequent rounds of coding were conducted after queries were developed to create new primary documents titled after each of the initial codes. Within each of the documents, I used open coding to identify interesting stories and passages that speak to the cultural-politics of the school discipline issue focusing on the interactions of various Disciplinary *Ps*. I later organized and added to the list of Disciplinary *Ps* by revisiting the literature.

The outcome of the coding process is presented in Chapter Four. I focused primarily on reporting the perspectives and actions of various stakeholders concerned with school discipline. In addition, I explored the elements important to understanding the discipline net – policies, personnel, practices, and so on, that I feel into referencing as Disciplinary *Ps*. Using direct excerpts from the interview, I explored net-widening and net-deepening more thoroughly to draw inferences about how certain changes within the code of conduct may be taken up in practice and how certain changes are viewed through the perspectives of the key informants. Finally, I examined how stakeholders viewed the symbolism of the code of student conduct, its authorship, and explored possible reasons why the code of student conduct may undergo modification.

Interview findings are only implicitly illustrated throughout the net-widening and net-deepening chapters. The considerations are apparent in sections where I suggest that the changes produce different possibilities than the operational definition guiding the analysis. Put differently, the addition of a program, such as SMART does not necessarily deepen the discipline net. Such additions require further exploration. While only implicitly integrated into the net-widening and net-deepening chapters, the key informant interviews figure more prominently into the discussion of cultural politics of school discipline that rework and co-produce the policies that net-widen and net-deepen the school discipline net. Moreover, my final analysis that considered all forms of data, including incidents data, allowed me to conceptualize how net-widening and net-deepening operate in the mist of the various other Disciplinary Ps.

Conclusion

This chapter provided an explanation of how this research study was produced. I have provided a rich description of the sources of data which include codes of student conduct, informant interviews, and discipline related data and document from the school district of Philadelphia. I explain how and why I selected the sources of data used and provide justification for analyzing the data through the research methodology of ethnographic content analysis. Finally, I provided detailed descriptions of data analysis and reduction techniques that yielded the findings of this research, which are presented in subsequent chapters.

CHAPTER FOUR

STUDY CONTEXT: SAFETY, DISCIPLINARY *Ps*, AND THE RELEVANCE OF CODES OF STUDENT CONDUCT

Philadelphia school district is not safe. That's why we have so many schools on the persistently dangerous list.

- Shannon, school level administrator

I know there are certain schools that are not as safe as others ... I'm a parent of 5 children who went through Philadelphia public schools and I have never feared for their safety.

- Pat, elementary school principal of 20+ years

It's almost impossible to be in an urban school and have a safe school because in the urban schools, the surrounding communities aren't safe.

- Erin, former district level administrator

Introduction

The quotes that begin this chapter are excerpts from interview transcripts of three School District of Philadelphia insiders' responses to the question are Philadelphia public schools safe? The responses to this simple, yet poignant question underscore the school safety problem and illustrate well the various ways that different stakeholders concerned with and responsible for fostering school safety make sense of whether or not a district and the schools that comprise it are safe. To be clear, the informants offered more nuanced and involved explanations than presented here; never-the-less, the quotes capture the essence of the school safety problem – there are many ways to view it. There is even disagreement about the extent of the school safety problem.

Epistemologically, and in similar fashion with the current state of the field, each quote offers different ways of knowing and assessing whether or not schools are safe. In her assessment Shannon relies overwhelmingly on data and labeling of schools as

persistently dangerous, itself a matter of discord within policy, academic, and administrative circles (Gastic & Gaseiwski, 2008). Pat relies on personal experiences and uses the fact that she never feared for her own children as a rationale for assessing whether or not schools are safe. Finally, Erin examines the broader picture of how he believes that urban schools are inherently unsafe because of the communities which they are situated in, a commonly held assertion that recent research refutes (Chen, 2008).

The explanations of how safety relates to discipline capture differences among the research participants too. Two informants with previous experience working in the central (district level) discipline office where all disciplinary matters and channeled had different takes on the school safety problem than the elementary school principal, although she did have experience working in a regional office during a time when discipline issues were primarily managed by regional offices. Shannon, Pat, and Erin each contribute hers and his expertise and insights on school safety and discipline policies in the School District of Philadelphia. Together, their explanations contribute to the findings of the code of student conduct content analysis by allowing for the context of policy changes and possibilities for implementation to be more fully understood and described.

Drawing primarily from interviews with these three district informants with combined 30-plus years of experience fulfilling discipline-related functions across various levels of the district and secondarily from secondary data, this chapter explores the school safety problem in the School District of Philadelphia. First, I provide a brief description of the School District of Philadelphia. I explore the contextual factors that contribute to and undermine possibilities for addressing the school safety problem. I

specifically am concerned, here, with connectedness of the local school safety problem, school discipline policies, and the relevance of school discipline policies in enhancing school safety.

About the School District of Philadelphiaⁱⁱⁱ

The School District of Philadelphia faces significant challenges in ensuring its approximately 170,000 public school students (200,000 if charter schools are included) receive a high quality education that prepares students to be productive citizens in a global world. The student population in SDP places the district amongst the top 10 largest school districts in the country. Comprised of over 270 public schools and over 60 available charter school options, School District of Philadelphia possesses the promises and perils of urban schooling in the U.S. With its diverse provider model and highly centralized structure of public school governance, the City of Philadelphia has quickly developed into a hub for neoliberal school reform experimentation. As such, the features of reforming districts in flux are easily identifiable in SDP.

The School District of Philadelphia is governed by a five member School Reform Commission. The school reform commission was established in 2001-02 school year after the Commonwealth of Pennsylvania took over the failing district from the city of Philadelphia. The district has since been led by a Chief Academic Officer, Chief Operating Officer, and Chief Executive Officer of Schools who provides district leadership and oversight to the three governor appointees and two mayoral appointees who sit on the School Reform Commission. Formally called clusters, the school district is now divided into 11 regions, where regional superintendents and supporting administrators oversee a 9 geographic region of schools (1 regional superintendent

oversees comprehensive high schools and 1 regional superintendent oversees alternative schools), provide oversight and technical support at the individual school level within the region, and act as an intermediary between the district headquarters and single schools.

In April of 2002, in a bold effort to revitalize public education in the city, the commission moved immediately to reform schools by handing over the district's 70 lowest performing schools to Education Management Organizations (EMOs) and Community Groups. Since this move, school choice, private, and quasi-private management of public schools has developed into a contested issue within the city. Currently, the commission oversees and guides the vision of 177 elementary schools, 28 middle schools, 60 high schools, 16 alternative education schools, and 38 privately managed schools. Sixty-one charter schools also serve 30,500 students who live in the city of Philadelphia. While some argue that the changes ushered in by the diverse provider model of school reform have amounted to at least a modicum of success, others believe the reform efforts have done little to fulfill on the promise of success for every student in every class in the district, but instead continue and possibly exacerbate the pre-existing inequalities that plagued the district before the state take-over.

Demographics and Achievement in SDP^{iv}

Poverty is rampant and wealth is geographically concentrated in the City of Brotherly Love. Because wealthy Philadelphia residents opt out of public schools to pursue the myriad of private, independent, and recent influx of charter, and magnet school options made available through the diverse provider model, race and class disparities are exacerbated. In the public school arena, the vast majority of students are poor racial and ethnic minorities. Although Philadelphia's general population of 1.5

million residents is made up of roughly 50 percent racial minorities, Philadelphia public schools serve a population that is predominantly Black and Latino. The discrepancy between the racial make-up of the city and the racial composition of schools underscores the disparate opportunities that exist in this highly segregated and socially stratified city.

Residential segregation in the city ensures the continued race and class segregation of schools. Most students in Philadelphia attend schools that are segregated along lines of class and race. In Philadelphia, Black students are the majority in the public school (excluding charters) attendees at 62 percent, followed by Hispanic/Latinos and Whites who make up 17 percent and 13 percent of the population, respectively. Asians, Native Americans, and those who identify as “Other” or “more than one race” make up the remaining 7 percent of students. Roughly 95,000 Philadelphia public school students are considered low income as indicated by the number of students who receive free or reduced lunch.

District-wide, schools struggle to improve student performance under the NCLB mandates. Over half of the SDP students do not score proficient on standardized tests. Annually, the Pennsylvania Department of Education issues the Pennsylvania System of School Assessment (PSSA) test to select grades in the state. SDP’s overall performance in 2006-07 yielded the following results: Amongst all students taking the Math PSSA, 45% scored proficient or above, falling just in line the state’s target of 45%. Of the 84,925 SDP students who took the test, the 53,214 Black students scored at 39% proficient. Latino/Hispanic students (n=14,080) performed slightly better at 41% percent proficient. White (n=11,417) and Asian (n=4,800) students, who are clustered in select neighborhoods (Northeast Philadelphia), schools, and academic programs, scored

considerably higher at 65% and 77% proficient respectively. Finally, students with IEPs and those considered economically disadvantaged scored at 15% proficient and 42% percent proficient.

PSSA Reading scores paint an even grimmer picture. Amongst all students taking the reading test, a meager 41% scored proficient or above, shy of the state's target of 54% proficient. Of the 84,534 SDP students who took the test, Black students scored at 36% proficient, Latino/Hispanic students performed at 34% percent proficient, White students performed at 61% percent proficient, and Asian students performed at 63% proficient. Student with IEPs scored at 11% proficient. Finally economically disadvantaged students scored at 38% percent proficient – most of these 68,540 students are undoubtedly the same Black and Hispanic/Latino students who scored lowly. Such dismally low test scores are undoubtedly a reflection of many different issues, one's that none-the-less can be improved upon. The 85 (35%) SDP schools who met Adequate Yearly Progress in 2006-07 are a case in point.

The low test scores are not surprising considering the relatively low graduation rates when comparing SDP students with the counterparts across the state. SDP graduation rates were 67% compared with a state graduate rate of 88%. Of the 67% of students who graduated, 73% were female and 60% were male. With the exception of Hispanic/Latino students whose graduation rates are alarmingly low at 57%, most other racial/ethnic groups' graduation rates hover in the high 60s. So what happens to so many of the students that are unaccounted for in this narrative? What schooling and educational processes are shaping the experiences of the 40% of males who did not graduate in the 2006-07 academic year? In addition to low funding, high teacher turnover, the so-called

achievement gap, and other issues, the school-discipline gap and the policies created and employed in the era zero tolerance appear to be yet another barrier to student success in the school district of Philadelphia.

School Safety in SDP

As is the case in many urban school districts, school safety is an issue in the School District of Philadelphia. In accord with national trends and framed by the New Right, much of Philadelphia's quest to improve school safety leads directly to the bolstering of school discipline policies. Guided by a zero tolerance approach (officially adopted in 2001), the school district has witnessed a tremendous growth in both the number of incidents reported and the array of services and professionals employed to manage school discipline in the era of zero tolerance. Table 4-1 provides an overview of select indicators relevant to this research study and per pupil ratios as reported to the Pennsylvania Department of Education's Office of Safe Schools^v. The years reported coincide with the final codes of student conduct years analyzed for this research study (no data are available for 1992) and provides evidence of the growing number of students who have fallen into the discipline net since zero tolerance was introduced as a guiding discipline approach (a more detailed table containing incident types appears in the appendix).

Table 4-1. School District of Philadelphia Incidents Figures (abridged)

School District of Philadelphia Incidents Figures					
Academic Year	1999	2002	2003	2004	2006
Public School Enrollment	n/a	185901	185507	180104	168269
Total Incidents Reported (Per 1000)	3366	5827 (3.13)	5786 (31.19)	14623 (81.19)	12666 (75.27)
Number of Offenders	3906	7232 (38.90)	6291 (33.91)	16072 (89.24)	14564 (86.55)
Incidents involving Local Law Enforcement	1965	3475 (18.69)	3604 (19.43)	2978 (16.53)	5027 (29.87)
Total Arrests	1856	2499 (13.44)	2343 (12.63)	2777 (15.42)	3253 (19.33)
Assignments to Alternative Education	21	934 (5.02)	8 (0.04)	2948 (16.37)	2539 (15.09)

Two offices at the district level – the office of school safety and climate and the office of transition and alternative education – are responsible for overseeing safety and discipline related issues within the district. At the regional level, numerous partners and district employees are utilized to fulfill core and ancillary disciplinary functions. The personnel considered core members operate at the regional level to support schools and include: Community of Faith Partners, CSAP/Behavioral Health liaisons, Discipline Truancy Liaisons (now called interventionists), NCLB liaisons, nurse supervisors, parent representatives, and school police lieutenants to name a few.

Ancillary members work at the school level to promote safety. Some are district employees and others are contracted as needed to fulfill disciplinary functions. These

personnel include: School-based climate team members, school administrators, disciplinarians, counselors, noon time aides, SAP assessors, school based safety team members, school based social service agencies, school police officers, school psychologists, and of course parents and teachers. The organizational structures and policies that manage these personnel are created by the office of school climate and safety (this name changes often) and change regularly. In addition to ensuring safety, the office of school climate is also responsible for collecting data to improve school safety and to report to state and federal agencies.

Given what is portrayed as an enormous school discipline and safety problem, the school district is seeking help to address the school safety problem. In 2007, the School District of Philadelphia was awarded \$3,660,510 from the Office of Safe and Drug Free Schools. According to the description on the U.S. Department of Education Website, the district plans to use the award to decrease the number of serious incidents occurring at the 11 schools identified as persistently dangerous (PDS) and 30 schools at risk of becoming PDS through the implementation of its Operation Safe Schools initiative.

The project services include conducting vulnerability assessments at the targeted schools; improving, publishing, and disseminating school-specific comprehensive safety plans; customizing and implementing researched-based, school safety strategies; identifying, training, and deploying 162 Safety Support Specialists. Finally, the district plan calls for building school capacity to sustain implemented strategies, and publishing a lessons-learned manual and supplementary training for district-wide dissemination. These personnel, the development of procedures, policies, and the inability of the school district to clearly identify and understand the school safety problem in Philadelphia schools runs

the risk of producing a net-widening and net-deepening of the school discipline net. To better understand the day-to-day cultural politics that shape the perceptions, needs, and official knowledge of SDP's school safety problem, we now turn our attention to individuals who know the issues from first hand experience.

Disciplinary *Ps*: Problems, Philosophies, Policies, Procedures, Practices, Personnel,
Places, and...more Problems

Conceptualizing the Safety Problem in SDP

This research is grounded in an assumption that school safety is a concern for school stakeholders; but a consensus on how to best identify the issue and whether or not achieving school safety is a matter of reducing violence is uncertain. To examine this conjecture more closely, a section of the interview protocol solicits information that seeks to understand how district insiders conceptualize school safety. As touched upon in the introduction of this chapter (see appendix for interview protocol), each of the informants offer different conceptualizations of school safety, whether or not they consider Philadelphia schools to be safe, and offer their view of the major challenges the district faces in fostering school safety.

Informants speak about school safety by making distinctions between factors that exist within schools and factors that exist beyond school walls and hours (*Place*). The challenges, they argue in accord, can be understood only through understanding the urban context. But divergences emerge as each informant describes the ability of schools to deter the continuity of behavioral norms and social problems that spill over from local neighborhoods into schools. Each informant voices frustration over a sense of

helplessness in ensuring student safety continues beyond the school day and school grounds.

Conceptualizations of safety within the school building are well distinguished. Pat describes safety in her elementary school building as entrance and exit procedures (for student and adults), successful travel through hallways, awareness of cafeteria and auditorium conduct and expectations, all “rituals and routines [that] add up to a safe school because the kids know what to do and how to do it.” She frames safety as an achievable goal based on establishing such norms and describes threats to safety as deriving primarily from outside of the school. Pat’s assertion that her school “can’t have strangers walking in and out, so we have a camera and a bell system” suggests that technologies are employed at her school in ways that monitor and deter outsiders rather than as means of surveying students.

She does acknowledge that safety also means that “children aren’t afraid of bullies” and admits that bullying is and has been an ongoing issue, one for which she has been provided with significant financial resources to address. She recently used the financial resources to select an anti-bullying prevention program that is aimed at helping students understand bullying from multiple perspectives – victim, perpetrator, and onlooker. She selected the program because she felt it is unique and took a balanced approach to helping all students understand their role in bullying prevention, but voiced her frustration at the plethora of anti-bullying programs and professionals that sought to sell their products and services to her school, many which proved disappointing.

Shannon, a middle school safety manager shares a similar view of schools places where safety is achievable^{vi}. She describes safe schools as places where “every

stakeholder, every student, everybody inside of the school building feels safe enough to learn, to matriculate through their classes, to travel through the halls...they don't feel threatened by anything or anyone in the building." But Shannon is less idealistic and more critical about achieving school safety than Pat. Although she references state, district, and federally sanctioned indicators of school safety (PDE data on violent incidents, persistently dangerous status, etc) throughout the interview, she also concedes that "everybody in my building doesn't feel safe, but I'm working on that" an implicit suggestion that how people feel in the school building is certainly an indicator of school safety. Interestingly, Shannon draws connections between the school and the neighborhood context that the other informants do not.

She argues that adults in schools create problems beyond the school walls through mishandling discipline in ways that do not consider the neighborhoods to which their students must return. She offers an example by talking about how some administrators miss the larger point about how school discipline practices can undermine the safety of students both in school and in their communities:

I see some people get information from students - like a student who's being bothered by someone - so they'll discipline the offending student but while disciplining them say 'yeah, such and such told me what you did.' And when they do it like that, after school, the student [who told] is jumped! So it makes it unsafe for that child. In theory, they're trying to do things to make schools safer, but they need to understand the neighborhoods that they're working in ... The child has to go home in this neighborhood and the principal's approach may make it unsafe for that child. (Shannon, interview transcription)

Shannon makes the case that cultural discontinuity as relates to discipline is not a unidirectional issue, but that sensitivity to behavioral norms and expectations must be afforded to students who live in neighborhoods just as students must bend their behaviors

toward the expectations of the schools when they enter school building each morning. Her quote highlights how well meaning disciplinarians may undermine their own efforts to ensure that students are safe beyond the confines of the school building and hours. She describes the difficulties of overcoming an overall culture of fighting in the city:

The behaviors of the students reflect the neighborhood. And the neighborhood where I am now, the only way I can describe it is a fighting culture. The immediate response to everything is to want to fight. Students want to fight each other. Students want to fight the teachers. Parents want fight the teachers. Teachers want to fight other teachers [laughs]. Every day, it's a fight between these difference social actors: parents, teachers, students, you know it very antagonistic. (Shannon, interview transcription)

Erin's conceptualization of the school safety problem also considers the urban neighborhood (ie. *place*) factor, but he is more piercing in his description of the impact that urban communities have on schools. In defining safe schools, Erin believes that schools only have a responsibility to the immediate school environment. He argues that the idea of being safe in school is "silly" given the urban context in which they are situated. But, he does articulate what he believes the responsibilities of schools are in promoting (not achieving) school safety. He describes how "there's supposed to be things like adequate staffing, adequate programming so that a child is busy doing what they're supposed to be doing - going to class, going to lunch, recreation, things like that ... staff in the halls are supposed to be monitoring to minimize disruptive practices." He is also skeptical of monitoring equipment, cameras, and metal detectors. He assesses that these features are "supposed to keep weapons and all those sorts of things out" and ends his explanation with a "you know" and a glance, a gesture that suggests that school safety itself is a lost cause, coming full circle to his assertion that school safety is silly.

Despite his reserve concerning school safety, Erin does recognize the wide variation in how schools cultures and climates do or do not contribute to school safety. In essence, he makes a case that the typical school safety measures amount to nothing. The more important feature of safe schools, instead revolve around establishing a sense of high student and teacher expectations and student belongingness. He offers a comparison of two Philadelphia high schools located in the same neighborhood as an example of how outside factors associated can be mitigated if conditions within the school are right:

Some schools are [safe]. You can't generalize. It depends on the neighborhood. It depends on the programs. There's a Magnet High School and Neighborhood High School right down the street from each other. Neighborhood High can be considered not safe. But why is it that Magnet High can be considered safe? It's because there's a highly selective admissions process and the kids actually want to be there. So they're not going to do anything to jeopardize being kicked out. The other high school has to accept anyone who comes through the doors that lives in that neighborhood. (Erin, interview transcription)

Without directly saying it, Erin makes the case that an inner city school can achieve a degree of school safety. It is not because of zero tolerance approaches to discipline that schools like Magnet High are safe. Perhaps jaded by his years working in the central discipline office, Erin quickly reiterates his larger position, that even within schools like Magnet High, students remain at risk beyond the school hours and building. He describes in detail the dilemma of entire district that results from thousands of students' daily travel to and from school. More so than the other informants (Erin has never worked in an individual schools building like the other informants have/do), Erin's concern is with the larger picture of neighborhood rivalries that present challenges to the district that fall beyond "the scope of what the schools can do." He expresses that if the

district could eliminate the “natural neighborhood border rivalries that spill into the schools ... schools can be safe” (Erin, interview transcription).

The root cause of the school discipline issue, as described by the school level informants, is not violence, per se or the neighborhoods, but rather an entrenched sense of despair that leads to disrespect, often a precursor to fights, bullying, and other incidents that undermine a healthy school climate and culture. They confide that disrespect is rampant throughout the district and describe district students as...

Disrespectful. Student misbehavior in general is disrespect. I have 450 students here and I would say that maybe 10% are the ones who show the misbehaviors. And of that, maybe 3% are repeated offenders. So it's not a pervasive problem, but the type of discipline issue mostly stems from disrespect - refusal to follow directions that leads to fights. (Pat, interview transcription).

Collectively, each of the informants' conceptualizations of school safety and their insights underscores two important things. First, each informant either explicitly or implicitly suggests that school safety is possible and that student behavior is manageable, even in urban schools, given the right conditions. On the other hand, the apathy about neighborhood factors, cultural discontinuity, and the wide variation in school safety throughout the district calls attention to the need for district-wide school safety initiatives. The problem with the school safety problem in urban schools is that the problem is so complex. Attempts to address the problem have led to the problems associated with an increasingly complex school discipline net.

The school district has wrestled with the school safety problem for years. As have other districts, the School District of Philadelphia has framed the safety issue, in part, as one of combating school violence and crime. And although no consensus around how to

address the problems in the district seems apparent, the official stance on which the district stands is one of zero tolerance against “conduct that endangers the safety of the schools and/or disrupts the educational experience for other students” (COSC 2007-08).

Although the code of student conduct clearly articulates the mission and purpose of the established a zero tolerance discipline policy, the informants were unsure about whether a broad disciplinary philosophy existed for the district. This uncertainty amongst three individuals whose primary responsibilities involve carrying out disciplinary matters, two of whom actually participated in reviewing and updating codes of student conduct and discipline policies, is emblematic of the how legitimate the zero tolerance agenda has become in driving the discourse of the school safety without providing a clear path for overcoming the school safety problem that urban schools face. But the agenda does not operate absent of struggle. While zero tolerance reforms attempt to change schools, schools and the various actors who participate in the cultural-politics of school reform undoubtedly do the work of changing school reforms (Cuban, 1998).

The Structures and Struggles of Discipline

Various stakeholders struggle over how to address the school safety problem, but it is personnel in school leadership who do the most in shaping the practices. The leadership is hierarchical, characterized by both resistance and acquiescence from above and below. District leaders are accountable to the state, parents, and taxpayers. Principal loyalties are often aligned with the values and priorities espoused by central administration and district leaders. Since various personnel such as school resource officers (security), school counselors, parents, principals, and teachers, are involved in

the disciplinary process, the official knowledge of what is supposed to occur is re-worked in ways that discursively reconstruct the disciplinary process on a day-to-day basis.

What is supposed to happen: disciplinary structures in SDP

Actions that are supposed to happen (*procedures*) based on school discipline policies and what actually happen in *practice* are multiple different things. The reality of the discrepancies emerges as a major theme of the interviews. Each informant possesses a very clear understanding of what is supposed to happen when a discipline issue arises, but provides evidence that successfully carrying out the discipline policies proves difficult because of the subjectivity involved in assessing the severity of offenses, the appropriateness of the consequences, and the various people who are involved in the disciplinary process. According to Erin, when a student misbehaves in school, the code of student conduct “gives the general guidelines” of what is supposed to happen. Erin explains the official procedures from the district perspective:

What happens is when an incident happens on school grounds on campus ... then the incident is taken by the school and is reported to the regional office depending on the severity. And it used to be and I don't know if they still do this - it used to be left to the school to report it and say this meets the requirement of [this violation as reflected in the code of student conduct] and then it would be sent to the regional office. Then the discipline truancy liaison, the person responsible for handling all the paperwork, decides if this meets something that goes further, such as a hearing or immediate assignment to alternative school pending the hearing. (Erin, interview transcription)

He continues to discuss a debate that was happening at the time he left the central office. At issue was whether the district should remove the decision making authority from schools, where according to the opinion of central administration, regional or district level administrators would be better suited for objectively investigating and

recommending appropriate courses of action in response to school level discipline incidents, a question that is a matter of *policy*. The debate emerged largely because of the ongoing disparities in the handling of disciplinary procedures across the district. But, at the school level, a similar set of concerns exist. Pat describes how her school responds to of the discipline issues:

When it comes to issues of discipline, the CSAP process is in place. My counselor and teachers meet every other week to discuss issues related to academic or behavioral concerns. We are fortunate that we have a lot of supports. We have the school based behavioral supports program so when a child is repeatedly being referred for discipline issues and we talk to the parents, if that support is something they can take advantage. When there's an issue in the classroom, the teacher can call the share team, that's what we call them. The share team can send someone down and they help quiet the child and work through the issue while the teacher can keep teaching. The children that need that service and aren't yet through the process of applying for it, being evaluated, and getting the approvals, a counselor and I often take them ... It's not the best situation because you want the child in the classroom but it's what we can do. I had an accommodations room, but I'm short two staff persons this year so I don't have anybody to man it. (Pat, interview transcription)

At Pat's school, the disciplinary process is guided largely by the Comprehensive Student Assistance Process (CSAP), an intervention-based approach to school discipline that is featured prominently within the codes of student conduct^{vii}. This process is one that school personnel who work in disciplinarian roles are familiar with. It requires that schools provide and document behavioral supports offered to students who misbehave. Pat continues to explain that ...

Depending on the severity, the school counselor or the school police officer will pull and take statements from students. The principal will then review the cases and call the students to the office at which time parents are contacted. Depending on the reviews, students may be suspended or referred the SMART to prevent the student from being suspended. SMART is supposed to be used first, but this is a decision that the

principal can make. Sometimes the message has to be immediate, I believe, and I have to do the suspension first. (Pat, interview transcription)

This quote exemplifies the ability of principals to exercise authority within the parameters provided by the code of conduct. Because many principals often skip the suggested steps in order to send an immediate message many youth are not afforded second chances. The extent to which this occurs depends largely on the principals' disciplinary philosophy and approach (Dunbar & Villarruel, 2004). Consequently, programs like SMART have emerged to mitigate the overuse of immediate removal. The Saturday Morning Alternative Reach and Teach (SMART) program is one of the more regularly employed options that the school district has used assertively to reduce the number of students suspended from schools. Such a program supposedly work in the best interest of the disciplinarians who are still able to employ a punishment, albeit one less sever than suspension, while helping the students avoid the suspension experience. According to Erin, who was instrumental in incorporating the program into the district, SMART was designed as the district attempted to implement proactive and restorative rather than reactive and punitive discipline options:

It was designed for those kids who were starting to go down that path, you know getting multiple suspensions, fighting more, and being aggressive. So the district partnered with agencies like Boys and Girls Clubs, Police Athletic Leagues, and other community based agencies to have a sort of Saturday detention that was actually more fun than it was a punitive. Students would learn character development through fun kinds of things. (Erin, interview transcript)

In addition, the district created a structure for parental involvement in disciplinary spaces by requiring parents to attend workshops at the SMART sessions. At the meetings, parents and guardians were provided with resources and information to help them

understand they were not alone in dealing with their child's behavioral issues. In the meetings, community based agencies reminded parents of child development issues. According to Erin, the point was not to suggest that parents were unfit but to say "do you remember when you were so and so's age? This is what they're going through."

While the expansion of policy structures occurs in effort to facilitate a more objective and less punitive disciplinary process, the pitfall is that the process requires more involvement from more stakeholders. Additional stakeholders operating in highly politicized contexts ensure more conflict will likely arise. Through increasing what Erin refers to as the "human factor" of the discipline process without carefully incorporating student and parental input, the discipline net is likely to be widened and deepened. This is especially so if the involvement process is not voluntary. Requiring parents to participate in SMART sessions may produce side-effects that act to pile sanctions onto students in ways that they are unable to control. Perhaps, not all parents are able or willing to attend the SMART session with their child.

Further complicating the issues emergent from the increased complexity of the student discipline process is the documentation requirements designed to ensure that the influx of stakeholders involved in the process do not act prejudicially against students. For example, the EH-21 process that is required to transfer or expel students entails an expansive documentation process via the EH-21 form, a process that, years ago Pat monitored as a disciplinary administrator at the regional level:

On the form it has the child's demographic data, academic records, and has a list of all the infractions at the current school and past schools listed. In order to even consider a child for an EH-21, there has to be accompanying documentation. There's a whole checklist of documents that goes with it ... If you're doing a transfer for repeated school

violations in particular, the child should have had CSAP ... My job would be to review all of that. If there was evidence of need for support and the support was not given, then the 21 would not go through. If all of that is in place and things still happen then we give the child a chance at another school [a lateral transfer, not a disciplinary transfer]. (Pat, interview transcription)

The authority to submit EH-21s rests with the principal of each school. Even with such stringent procedures in place, a principal or teacher's ill will towards a student can lead to misuse of the documentation process. Shannon laments about the misfortune that some students suffer at the hands of disciplinarians who use the process as a means of quickly getting rid of students they do not like. She explains how the CSAP process is often abused in the following passage and expresses her gratification that the district is becoming increasingly concerned with the abuse of the mechanisms in place to ensure students are being disciplined fairly:

Typically, the approach is, if they're acting up, get as much paperwork on them as possible to expel them. My position was created to ensure that students are provided all the services needed before it gets to that point but that's the practice when I get into schools. I've had principals tell me "just make sure he's out of here!" They get as much paperwork as they can on the students to get them out.

...

In some schools where I've been, CSAP has been a checklist. *'Oh you have CSAP? Let me print it out real quick. Here's your CSAP, okay.'* So it's a check-off on a list." But now they're [the district] is asking to see documentation like 'let me see anecdotal records from the teacher of what's been observed in the classroom? What types of interventions have been done?' They're asking for more evidence of what has been happening. You have to have that in place before you can expel a child. (Shannon, interview transcription)

What Shannon describes here is what I refer to as case building. Case building can result when the protocol are in place that can be used to develop a documented case of disciplinary actions that are used to punish rather than remediate a student. Although

well meaning, the misuses of existing disciplinary structures by principals and disciplinarians who interpret or supersede the process by infusing their own values into its application requires the district do more to ensure fair discipline is meted out. The increasing number of disciplinarians runs the possibility of working against students as the management of discipline grows increasingly complex at the school and district level. The same holds for administering discipline district-wide, resulting in a wide variation of how the code of conduct and the disciplinary policies embedded within it are exercised. At the core of the issue is the decision-making of personnel and what Erin refers to as the human factor and the ways in which “training, collaboration of city, state, parents, students, and community work together with schools to stop major violence” (Erin, interview transcription).

The human factor: conflict and participation of stakeholders

As illustrated in the previous section, there are structures that exist to ensure that school discipline policies are employed fairly, but the structures are altered by human agency as stakeholders, individuals and groups, struggle daily to address the school safety problem. The human factor involves how individuals and groups take up the issue of discipline grounded in their professional and personal understandings of how particular behaviors should be viewed and treated. Official knowledge of the school safety problem framed by a zero tolerance agenda, while dominant, meets both resistance and acceptance on a day to day basis. Within SDP, the human factor starts at the top of the hierarchy, argues Erin, where leadership has the opportunity to shape what the district-wide approach the discipline should be, but where a culprit promoting one disciplinary agenda over another beyond the CEO remains nebulous:

The leadership dictates what's going on. The previous person was zero tolerance, because that's what he heard from teachers, that's what he heard from some parents, that's the trend going on in education now. So it goes with, of course it goes with the mob. And who ever has the loudest voice are the ones who are heard. And you know that's the teachers, parents, and society in general ... They give the orders. This is how we're going to proceed. (Erin, interview transcription)

He argues that the department of alternative education or whoever is the district level designee assigned for discipline at the time (this has changed numerous times in the district) is responsible for ensuring the preferred approach is executed at the district and school levels. Although the responsibility for overseeing the approach to discipline is the district leader, notice that the mob or group with the loudest voice is unidentifiable. His quote reflects an implicit acknowledgement of the cultural politics of problem defining and agenda setting. It is this process that invigorates the ongoing priority for school discipline policy creation and implementation. The mob, as he discusses it, is anyone who supports the trend, including parents:

It's funny. I think that within our communities, urban communities, when you think of discipline and zero tolerance, that's what some of the parents want, you know? ... You get some parents in and tell them we've got to go through this [due] process and they respond with "why do we have to go through this process? If my student did it, he or she did it. Put them in an alternative school." Some parents in urban communities really look at A and B - there's no in between. (Erin, interview transcription)

The quote illustrates how many parents are in line with the zero tolerance approach to discipline. But other parents prioritize challenging what they believe are unfair, biased, and punitive practices. Erin explains that one good thing he has noticed about the introduction of zero tolerance policies is that "there are a lot more parent advocacy group now than before" and that parents are more aware now than ever before. He also speaks of constant reiterations by district employees reminding parents that "even

if you think your kid was guilty of a violation, you still need to go through the established [hearing] process” (Erin, interview transcription). Such gestures by school workers illustrate well that resistance to the zero tolerance agenda can emerge from many places within the contested spaces of schooling.

Even in disciplinary spaces inhabited by new professionals, resistance can and does emerge. Perspectives often collide when neighborhood and school, educational and law enforcement intersect. Shannon discusses the difficult task of eliminating and hybrid neighborhood fight/law enforcement culture that persisted in one school upon her initial entry as school disciplinarian. Together, the factors severely undermined her attempts to improve student discipline:

When I came to this one school, the school resource officers would pull students out of the classroom for incidents and they would take them in a dark room and beat them up. I had to stop them from doing that when I got there. I told them “I will report you. You will lose your job because this is not happening on my watch.” I was met with a lot of anger about that because I was like you can’t beat these children up . . . So I’m just imagining, assuming this person has been in the school system a long time, so he probably did this in other places. (Shannon, interview transcription)

She explains that it took her half of the school year to stop the practices employed by the officers. She expresses disbelief that the officers were so candid in sharing their disciplinary tactics with her – they even went so far as to show her the room within the school where the regular physical punishments were held. The practices were known amongst the student population as well. Students would tell her that the officers were employing corporal punishment and she eventually began to tell “the students that they needed to tell their parents. So parents began complaining and it eventually stopped” (Shannon). She explained repeatedly to the officers that they needed to model for

students how to handle conflict, but realized competing perspectives on student discipline exist at all levels of the hierarchical structure.

In terms of the school discipline net, the addition of law enforcement trained personnel adds to the potential problems the district may encounter for two reasons. First, law enforcement personnel may or may not be trained at working with student populations. This is especially important considering some schools have contracted employees whose first chain of command rests outside of the school district's system of accountability. In the high schools contracted employees CBOs (Community Based Officers) are the norm. While the practices employed at the school in the previous example are excessive, amongst the three interviews (even Shannon), no one took issue with the *presence* of uniformed officers in schools. In fact, Pat speaks favorably of school resource officers and safety personnel, especially the school police officer's presence in her own school building: "I think I'm better off for having him here. When I didn't have one, I had a lot more serious incidents." Pat's school is an elementary school. And she acknowledges that elementary schools are much better off than middle and high school in regards to school safety.

Other contracts established by the district operate outside of schools and create a black hole for educational researchers. It is unclear how integrated and aligned outsourced services are with the educational priorities of the district. Regardless, Pat sees the collaborative efforts as a positive for all concerned parties and applauds the districts efforts:

At the district level, community partnerships and trying to really build contracted services (school based behavioral health) with the prevention and support part of DHS: not the 'I have to report you part of DHS' part.

And I think DHS has a lot more programs and services available now too. I'm sure that comes as a result of the focus of the city's focus on needs of the kids. (Pat, interview transcription)

Her statement underscores the importance of a city-wide effort to provide for students and the school districts willingness to reach out for help. Classrooms, however, remain ground zero in the school discipline net. And central to the discussion of school discipline stakeholders are counselors and teachers who are the ones responsible for the classroom space. School counselors are viewed favorably amongst the informants, especially by Pat. She realizes her school is in a unique position and continually reiterates throughout our conversation that her school has "plenty of resources," as a result their empowerment school status (did not make Adequate Yearly Progress in two consecutive years). Teachers on the other hand, were viewed as central but at times problematic to establishing sound disciplinary practices and policies.

The sentiments expressed in the interviews reflect both a desire to alleviate teachers from the responsibility of dealing with serious student misbehavior and threats as well as distaste for mistreatment and abuse of the disciplinary process on the part of teachers who hold personal vendettas with students. Pat expresses frustration about the inability to remove students when she states that "there's so many - you know individual rights, parents' rights, and students' rights and everything - to the point where sometimes the teachers are working with a lot of frustration and feeling of not being supported when kids who need to be out of there [classroom] can't be." Erin and Shannon offer a counter concern. Both discuss how teachers are able to remove students unjustifiably. Some teachers undermine the disciplinary process by taking advantage of established policies of the district. Through manipulating the code of conduct rules, such as prohibitions of

harassments, threats, and assaults on school personnel, students can be immediately recommended for transfer to alternative disciplinary schools.

There are principals that want certain kids out. There is going to be teachers that want certain kids out ... We had one instance where a teacher got into an argument with a student and [later] there was an accidental bump. The teacher filed it as an assault. The school's version is that the kid has always had a problem with this teacher and now the teacher doesn't feel safe. The teacher got the union involved in it and all over something that all of the other eye witnesses say - and they did interview students, teachers, and other staff - that the kid was laughing and looking down and that the bump was an accident. (Erin, interview transcription)

The account illustrates the school safety problem – in this and other instances, the teacher may genuinely have not felt safe and reframes the student as the threat to the safety of the environment. Informants provided numerous accounts similar to this one that illustrate, on one hand, the unraveling of moral authority of schools and teachers that has resulted as alternate structures supplant teacher's traditional roles as disciplinarians. On the other hand, the passage unveils the stark reality that in some instances, students who are laughing and having fun one minute can be swept into an unrelenting disciplinary process in the next. Depending on the year and the structures contained within the discipline net, the student would experience this disciplinary moment very differently.

In the past, the student described in this situation would have been literally expelled to the streets. But because students and parents are encouraged, through simple acts of resistance on the part of school personnel, and through their own agency, have become adamant about ensuring school discipline works in favor of their children, EH-21 disciplinary transfers are exercised far more than formal expulsions. EH-21 transfers place students into alternative discipline schools such as Community Education Partners

(CEP). Over time, some parents have become savvy of how to ensure their children do not become stuck in the school discipline net unjustifiably or beyond a reasonable amount of time; knowledge and struggle that have produced concrete results such as the SMART program, increased school based behavioral supports, and in an ironic twist, additional alternative education options:

You had only so much contracted money that could go to alternative schools. The district decided that it was better to be proactive instead of being reactive and having to kick more kids out, expel more kids and then have to still provide them with some amount, by law, of education. If you expel a kid, that means you have to provide them with some means of education. Some parents would come and say I just got my kid into this private school or this Catholic school. Or I got my child involved in some monetarily based tutoring program. And by law, the district had to pay [the tuition]. But there are more options now. The district says no longer can you enroll your child into some private school that we have to pay for. Instead we have alternative schools. There's e-school where you can take classes online. There are also things like homebound. (Erin, interview transcription)

In part, the practice of expelling students to the streets was reduced as a result of parents' increased awareness that the school district, even in cases of expulsion, is financially responsible for providing city residents' students with an education under compulsory education laws. But as the practice of formal expulsion decreased, alternative forms of education and the spaces that accompany them replace the streets. In the past, before the zero tolerance discipline policies produced the struggles that have arisen in the district amongst key stakeholders, a majority of parents were oblivious of their rights and options about what they could do to ensure their child received an education if expelled from a district public school:

It used to be that when you expelled a child, you expelled them to the streets. Because you had so many schools expelling students to the streets, under the compulsory education law, you had to provide them some other

form of education. It was really kept under the table that you had to provide them with an education. If another school was willing to take the expelled student, the district had to pay for that education. I mean, it was very rarely used because you've got to remember the population [we're dealing with]. And the school district wasn't going to [voluntarily] tell them that. (Erin, interview transcription)

The statement highlights the district unofficial policy of not providing information to parents that would on one hand empower parents and on the other hand cost the district additional monies to educate students that were deemed unfit for the mainstream public schools. Amongst parents, teachers, and even administrators, misinformation and lack of clarity continue to be an issue. Shannon and Erin both disclose how memos from sent from the district's central office contradict the structures that are in place to provide checks and balances to ensure students are afforded a fair process if they fall into the discipline net. Erin explains that "the new district leadership has said that if there's something [student misbehavior] that's that bad, office of transition will move quickly if we at the school level do our paperwork, which is *all* those forms I told you about. So, on the one hand the new CEO is saying the right thing and on the other hand it's still a cumbersome process." Shannon too expresses the challenge of sifting through miscommunication to access accurate information.

This is unclear to me. Supposedly, Act 26 is no longer a rule. If students bring toy guns, they cannot be expelled anymore. That's what I was told when I called downtown [district headquarters]. But I haven't seen a letter about it or anything. But then the CEO sent a letter out saying that if any student assaults another student or a teacher, they must be expelled. But that takes away from finding out why the situation happened. When you try to expel them [students], it is not always going to happen. But with her sending a letter like that out, everybody is like [the teachers argue] 'well he said he's going to beat me up so the CEO said he should be expelled.' So now I have this battle. (Shannon, interview transcription)

This statement and the many other stories and examples provided here illustrate well the cultural-politics of school safety in the School District of Philadelphia. Stakeholders' ongoing struggles to foster school safety through administering discipline policies, as individuals and groups see fit, work to challenge, reinforce, and reshape official knowledge about school discipline. Official knowledge is partly legitimated through the creation and maintenance of policies and production of texts. In the district, the codes of student conduct are the official documents that operate as the general statement of behavioral expectations and appropriate responses to misbehaviors deemed inappropriate, a topic which we now turn to.

Policy and the District Code of Student Conduct

According to the 2007-08 code of student conduct, the district has adopted the policies set forth to “support the creation of a safe learning environment for all members of the school community. The purpose of the code is to clearly set forth the standards for acceptable conduct of students.” In addition, the code explains the consequences of not meeting the stated standards of conduct, establishes a zero tolerance policy for conduct that endangers the safety of the schools and/or disrupts the educational experience for other students, and sets forth the discipline procedures for the students who have committed violations of the code. Finally, the code is a place for the district to explain certain policies applicable to students.

As Erin explains, the code of student conduct is “a tool that overall generalizes that if a situation occurs, the district will react in a, b, c, kind of ways. So in that instance it's sort of a blueprint. It's not a definite that if this occurs, because we all know that things are taken on a case by case basis. And we also know that there are occasional

politics that do get involved” (Erin, interview transcription). The politics that are involved require constant revision of the code of student conduct and should therefore provide a continuity of knowledge where the net-widening and net-deepening of the school discipline net can be understood across time as a dynamic discursive process of policy creation. Who and what determines what the code of student conduct entails? And how relevant is the code of conduct to the understanding the school discipline net? These are questions to which we now turn.

Relevance of the code of student conduct

Most stakeholders in the district concerned with student discipline are aware that the code of conduct is the central statement of expectations and provides the policy framework for how student discipline should be exercised. The mission and purpose issued in each code acknowledges that individual schools and administrators are permitted to exercise the code with administrative flexibility, establish additional rules so long as they are necessary, reasonable, and consistent with the code as long as students at the school are notified of any changes. Mission statements and purposes thus establish the general framework that guides the way the discipline is administered throughout the district. But, the centrality of code of conduct and its status as a site where official knowledge is legitimated, where the day-to-day struggles and cultural politics of school discipline manifest in written form, and where the parameters for discoursing about student behavior and safety are codified is a matter of opinion.

The key informants’ familiarity with the code of student conduct is clear, but each offers somewhat different explanations about the importance of the code. Three perspectives emerged that explain the relevance of the code of conduct in different ways.

Erin fully recognizes the role of the code of conduct as a way to articulate a message and believed it to be central to achieving equitable disciplinary practices across the district, a perspective that is unsurprising given his position in the district central office. Shannon discusses the code of conduct as a document that provides a guiding theory, but goes to great lengths during our conversation to explain that the theory is not practiced. Pat, who was most far removed from policy creation process, significantly downplays the centrality of the code of student conduct, relegating it to a formality that had little to do with how discipline is thought about or carried out.

Despite the divergent opinions of the relevance and occasionally sporadic disregard for the code of student conduct, uniformly, their collective explanations of changes, timelines, and knowledge of procedures matched strikingly well with the findings of the code of conduct content analysis. Each person, in fact, recalled key aspects of the code of student conduct almost verbatim. In our conversations, each informant would often make off hand references to the code of conduct by mentioning it by name or by using phrases such as “what’s supposed to happen” or “in theory.” Examples of these references are evident in Shannon’s response when asked to describe the protocol for responding to a fight:

If a student at my school is engaged in a mutual confrontation, which is what we call a fight, the teacher immediately calls the office, is supposed to. The school police officer responds. Someone from the safety team responds. They bring them [the students] to me and I determine what should happen next. According to the student code of conduct, they should not be suspended. A lot of other things should happen first, but generally, they’re suspended immediately. (Shannon, interview transcription)

The official definition contained in the code of conduct refers to fights as mutual confrontations and illustrates how the code of conduct is aligned with the knowledge of

school workers. In addition, the quick correction “is supposed to” and the direct reference “according to the code of conduct” illustrates well the way in which the code of student conduct provides a frame of reference for school workers responsible for discipline. Moving back and forth between school folk knowledge, personal opinion, and school policies, mitigated by the official knowledge of school discipline problem, proved the norm in the three conversations conducted for this study. Although unaware, the information within the code of conduct mirrors their understanding of how school discipline should operate. This suggests that the content of the codes of student conduct plays an important role in reinforcing the mission and shaping the purpose of discipline in schools: discipline is exercised to accomplish the goal of safety and the code of conduct appears to play a vital role in at least guiding the discourses and conceptualizations of what the disciplinary process should entail.

But school actors internalize the philosophies of the codes of student conduct, while holding to their own personal convictions. When the code of conduct mission statement reflects a change from setting forth common sense rules (COSC 1999-00) to establishing a zero tolerance for certain acts of misconduct (COSC 2002-03) these changes, at some point, enter into the consciousness of the school community. Likewise, the recent additions of social supports as reflected in the codes of student conduct have shaped what happens at the school level, additions that one key informant remained oblivious to when asked about how school discipline policies have changed:

The code of conduct is the same. It basically hasn't been updated at all. It's been updated to include the cyber-bullying and stuff like that, but I don't see any huge change in the code of conduct. I don't see any huge change in the process for dealing with kids, only in who handles it. Is it regional, is it central, is it school level, you know? I do see a change in the

number of supports available for kids. That's where I see it. (Pat, interview transcription)

The supports, unbeknownst to the informant, are imbedded into the code of student conduct as will be described in the next chapter. Amongst the key changes documented are the expansions of CSAP requirements, referrals to community agencies and so on, processes, which according to all key informants should provide for a better disciplinary climate but which also may push students deeper into the discipline net and prolong their punishment experience. They also contribute to an increasingly complex set of tasks related to managing misbehavior, especially students regarded as “repeat offenders” (Pat). The fact that Pat refers to students who misbehave as repeat offenders is likely no coincidence, but rather a direct reflection of the encroachment of law enforcement terminologies and legal jargon that crept into school discourse and hence the codes of student conduct.

Moreover, within the school discipline net framework, the changes in who handles disciplinary issues – regional, central, or schools - are of the utmost importance. While not a “huge change” to Pat, the implications of the changes are important as they hold the potential to include additional personnel to the discipline process, further complicating issues of subjectivity and objectivity. In either case, whether for better or worse, the disciplinary experience is likely to be quite different dependent upon who handles the incident. At issue is the question of fairness. Erin speaks to the role of the code of conduct in trying to ensure fairness as he describes a debate about central administrations conundrum that leads to their constant revisiting of which level of administration should handle discipline (which according to Pat, is not a huge deal):

The idea was that the regional was a [good option] because they could go ahead and report...they could do the more objective reporting and recording of incidents and make a decision and that way its not left in the schools hands ... We're trying to minimize this [clarifies] the code of conduct should be administered to everyone regardless. It shouldn't be prejudiced. (Erin, interview transcription)

The code of conduct's central role is to be unbiased and treat all disciplinary infractions that same across the district. Revisions have been made to ensure that proper documentation is collected on incidents because schools in the past (and undoubtedly still today) "were not following the school discipline guidelines in the code of conduct in the manner it should be" (Erin). School level administrators were meting out their justice based their like or dislike of particular students. Without following the appropriate channels of documenting the incident, paper trails would often emerge for "a kid who is on the fringe who is maybe not that as bad, while there's not as much paperwork there for a suspension [of a kid who is bad]" (Erin). Consequently, parents would be concerned about how a student with relatively minor infractions would be punished as severely as a student involved in a more serious infraction:

Of course when a parent comes and says, "how come my kid was suspended and this kid's not suspended?" you have to look. Often the school will say "because your child allegedly started it" without really having totally investigating it. Both could be equally at fault. I mean you say if two people fight and it starts a brawl between their friends, you know at some point are they equally accountable? But the school sort of makes their judgment on who did more and who did less. That brought up lawyers and brought up questions such as are you treating certain people better? Is the athlete given better treatment than the regular kid? Or just because my kid may not be the perfect student and has their problems, should they not be treated in the same manner? (Erin, interview transcription)

He elaborates further on these concerns when discussing how certain schools are better at handling discipline than others. On one hand, he applauds schools for being

innovative and implementing peer courts (also reflected in COSC) and restorative justice, but argues that at some point, consistency has to take precedence. He describes how if a student that attends school A that offers restorative justice and peer court transfers, for some reason, to school B that does not have peer court and restorative justice and gets into trouble at school B, the parent can say...

Wait a minute. Before you consider kicking my kid out and sending him to an alternative school, why can't I have this? Why can't you do this? School B responds "we don't have that [option]." Then the parent says "well the other school did." So, there's that inherent sort of unfairness that could be due to resources, the commitment of the local community, school administration. (Erin, interview transcription)

He explains that it is precisely these sorts of dilemmas that code of student conduct attempts to address. He argues that there is going to be inherent unfairness no matter what. Different sets of resources are available. Levels of community and parental involvement and commitment are different. So too are school administrators and leadership styles and philosophies. Urban schools suffer relative to their suburban counterparts in many of these regards. Discipline policies then act as substitutes for human, financial, and social capital that urban schools lack.

Attempts to level the playing field and ensure fairness cause well-intentioned alternatives to punitive punishments to go under-utilized and unused because implementing some alternatives would require a decisive break from the zero tolerance agenda's core philosophy and explain how such approaches are deemed necessary in school environments where nihilism and apathy reign about enhancing the availability of the aforementioned resources. Zero tolerance discourse thus circulates in the absence of social justice discourse concerning equity and empowerment discourses. Underscoring

the problem is that the discourse codified in codes of student conducts dictate what behaviors, rules, corrective actions, and practices are or are not prioritized as normal, acceptable, and useful. Resources, community involvement and such are minimized. School discipline is promoted.

Paradoxically, concerns with equality and fairness are found to be prominent with the zero tolerance agenda's safety and discipline discourses, while equality and fairness in other regards (funding, class size, teacher quality, curricular materials, etc.) are minimal. Stakeholders become concerned with ensuring equalities that they feel to have dominion over. Officially minimizing the school district's liability over fairness requires that lawyers be employed as key stakeholders who operate in the backdrop of the school discipline and safety political arena. Primarily concerned with protecting the school district from lawsuits by ensuring the discipline occurs through a due process equally available to all students, the rising prominence of lawyers in the school safety debate is reflected in the legal jargon contained in the codes of student conduct written after the Gun Free Schools Act of 1994.

Code of conduct authorship

Both Erin and Shannon previously worked in central office positions where they edited the codes of student conduct. Based on their accounts, the process differed each year. No clear process for policy authorship exists. Instead, the changes reflected in the codes of student conduct from year to year occur based on a haphazard process of discussing incidents in the district, referencing past SDP codes of conduct and codes from other districts, and examining school data to decide how the code of conduct can be updated. At the helm of the process is the director of whatever office (the designee

changes often) is designated to oversee discipline in the district and legal counsel. All other parties are peripheral, although the extent of involvement has differed from year to year.

When Shannon worked in the discipline office, she remembers a team of central administration level stakeholders were responsible for altering the code of conduct. Present was a past teacher to talk about things happening in the classroom and to talk about violation levels. The team spent ample time discussing what incidents and corrective actions were age appropriate and what incidents could reasonably be considered a crime. She explains that in these discussions “the lawyers are really the person who’s the driving force, which is why they have so many esquires working at the school district” (Shannon). The district’s major concern is that they do not want to be successfully sued.

With the help of lawyers and the authority of the code of student conduct, it becomes very difficult to overturn a district decision. This is because the city and the judicial system recognize the school district as its own separate governing entity, entitled by law to make the rules, within reason. Consequently, overturning a district decision is very rare, unless “paperwork wasn’t done in a [a proper] manner or unless there was some procedure that was not done accordingly. And usually when that happens - it may happen on the school based level - but its usually overturned in the districts own disciplinary process” (Erin). The code of conduct is thus a legal document.

Erin provides a historical perspective on the process that differs from Shannon’s account. In his explanation, he remembers there being forthright attempts to include

various different stakeholders from the broader school community, an undertaking that has since be discarded and one that he thinks was an honest, but failed attempt:

When I first came to the district, you had a committee comprised of representatives from every department - principals, deans, administrators, district and regional staff. But whenever you deal with a large group of people, you get the “this doesn’t fit my school, this doesn’t fit my region. This is how we do things at my school” instead of the realization we need a structure that will mold itself to everybody. That didn’t work out ... so then a small committee formed by a central administrator wrote it [the code of conduct]. (Erin, interview transcription)

The central administrator is the sole person who conducts research and determines what changes will be made. Neither Erin nor Shannon could provide specifics about what sorts of data the administrator gathered in the research process or how the data were interpreted and analyzed. In holding the conversations, I learned how and why changes to sexual misconduct emerged:

A lot of younger children were touching each other and they were being recommended for expulsion. What wasn’t taken into consideration was if the girl was a part of the touching. If a girl wasn’t resisting and the boy touched her, he could be expelled. So now, I can’t remember the name, but there’s a level one offense called ‘inappropriate touching’ which used to always be a level II sexual assault. But now they have inappropriate touching as a level I for younger ages. That change was made because we had so many younger children touching and all there was only the higher level of discipline for that behavior. (Shannon, interview transcription)

The explanation of the change illustrates the way that some set of data was used to alter a rule that proved harmful to young students, primarily boys. The change underscores the importance of critically engaging with data in order to improve the structures and priorities placed within the code of student conduct. Another process that created facilitated a revision to the code of student conduct is the direct involvement of the district-wide student government body.

They took the kids and let them look at the code of conduct and give input. The cell phone policy is an example. The kids came up after doing their research and they talked about how the cell phone policy in some instances, like Columbine, helped authorities know what was going on. Because at one time if you got caught with a cell phone twice, they keep it until a parent comes to get it. So the students got to revise it somehow. I don't remember what it was like, but still. Each year, I think the process got better. (Erin, interview transcription)

Improving the code of conduct also involves making it “simpler and more parent friendly and student friendly. They look at design. They look at the language” (Erin). But Erin does believe that the process is becoming more transparent and improving over time. I offer these final examples to illustrate that the school discipline net can be altered to be effective without becoming increasingly punitive. This is possible if various forms of knowledge are given at least fair, if not equal, consideration in identifying both what is acceptable and unacceptable behavior and deciding what corrective actions or prevention efforts are just and fair. More recently, changing conceptualizations of appropriate disciplinary practices are emerging to challenge zero tolerance approaches. Shannon is fully aware of the changes in discourse but argues that “the discipline policies are the same. For example, even though the discipline truancy liaisons are now called interventionists, they're still placing students into discipline schools.”

Conclusion

The various school discipline policies and procedures discussed in the informant interviews can be understood using a discipline net framework. The insights offered in this findings chapter provides this research with both supporting evidence of how the framework can be applied, but also with additional considerations on how to interpret the findings of the content analysis. The interviews require the content analysis to be one that

is cautious against oversimplification of findings. Drawing inferences from additional programs becomes not a matter of outright critique, but underscores the importance of using the addition of programs to think more deeply about what supplemental educational spaces and personnel might mean for students. Likewise, the increased attention to professional evaluation of students and accompanying documentation hold the potential to both push students out of the discipline net or to push them deeper into the net.

The following chapters examine the net-widening and net-deepening changes that have occurred in the school discipline net as reflected in the codes of student conduct and reframe the practicalities of this chapter towards a more conceptual orientation. I explore the same disciplinary *Ps* in the following chapters as I do here but transition from concrete examples and explications to a more conceptual phase of the study to allow for the net-widening and net-deepening to be explored more fully. In this way, findings from this case study of Philadelphia can be applied more broadly to comparable school districts. In what follows, I delve into the codes of student conduct that are texts that result from the cultural-politics described in this chapter.

CHAPTER FIVE

NET-WIDENING: UNDERSTANDING CHANGES IN CONDUCT RULES

Introduction

Net-widening of the school discipline net refers to the expansion of school rules that result in the likelihood that more students get into trouble. Over time, net-widening results in a more comprehensive set of school rules, creating the likelihood that a student is more likely to violate some aspect of the code of student conduct. Charting the progression of policy rule creation in terms of net-widening allows us to understand how the School District of Philadelphia established its current set of rules and the districts increasingly high rates of reported disciplinary infractions.

Net-widening is both a process and an outcome of discipline policy changes. It is a process that occurs when enacting certain types of policy changes that produce a net-widening effect or widening of the discipline net. The central focus of the conceptual contributions of the research findings is to argue that net-widening as a process of policy decision making is typically detrimental to urban school students. In some instances, net-widening results from well meaning efforts to diminish the severity of how particular behaviors are viewed. For example, the addition of a rule prohibiting inappropriate touching considers context, age appropriateness, and other factors to reduce the severity of the prohibition of sexual harassment.

The practical contribution is to understand the consequences of net-widening – in other words, net-widening contributes to our understanding of the current state of discipline policy and affords the opportunity for comparative analysis of school discipline systems (school discipline nets) across time and location. It allows researchers and policy

makers to calculate the possibilities of particular policy changes. In this sense, the possibilities for struggle emerge as net-widening becomes clearly understood as one possible means for reducing the stigma attached to certain behaviors. This research began with a premise that net-widening policy changes naturally acted to the detriment of urban youth, but this analysis unveils different possibilities. I am not suggesting here that net-widening is not indeed problematic, especially when the addition of new rules and descriptions is to introduce prohibitions for high level offenses. But, the addition of low level offenses, while widening the net, offers students the chance and may increase the likelihood that their actions will be viewed and punished less severely than if the lower rule addition does not exist.

Net-widening is an important concept because it provides a means of explaining the increasing number of students being punished in schools that moves beyond placing blame solely on students. In addition, net-widening fills the conceptual space between zero tolerance policies and the increased exercise of discipline in urban school districts. Net-widening challenges the belief that student misbehavior is more common today than in the past, making problematic the conjecture that actual student incidents alone are to blame for the increased number of behavioral infractions reported. Instead, this perspective posits that school discipline policy changes contribute to the increasing number of students disciplined in schools. This research chronicles how policies have changed and develops concepts that elaborate and enhance the net-widening perspective on school discipline policy in the era of zero tolerance.

I present the data by first explaining the net-widening concepts that emerged as a result of the content analysis. After a presentation of conceptual factors, I apply the

concepts to describe the changes to student rules as reflected in the codes of student conduct for the school years 1992, 1999, 2002, 2003, and 2004. I begin with the 1992-93 school year and proceed to explain net-widening for subsequent school years to illustrate how the school discipline net has undergone fundamental changes.

To facilitate the analysis of net-widening, I use four key pieces of information: rule names, rule descriptions, rule numbers (and infraction numbers), and rule violation levels. These units of analysis provide the foundational information for understanding net-widening and net-deepening as reflected in codes of student conduct. When changes occur in the form of 1) addition of new rules and infraction categories, 2) descriptive clarification or specification of existing rules and categories, and/or 3) dividing / partitioning of existing rules, net-widening of the discipline net is likely to occur.

Net-Widening and Related Analytical Concepts

Analysis of codes of student conduct reveals that net-widening occurs through several methods beyond those identified in the operational definition of net-widening. These are the addendum method, subtraction of phrase method, infusion or interspersion method, and rule addition method. Related instances that occur, but that do not constitute net-widening are net-neutralizing changes and net-contractions. These latter two offer examples of discipline policy changes that do not engulf additional students.

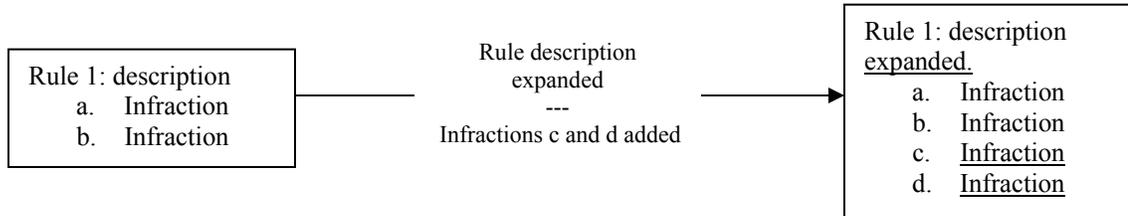
The process of net-widening is not a static one. It involves change between two points of time. The analysis sought to understand the differences between one point in time and another point in time. Therefore, the concepts that emerged as a result of the study must be understood as dynamic processes of policy creation. The concepts are essentially descriptions of what happened between rules from one year to another, from

one COSC to another. The concepts and accompanying figures are introduced, illustrated, and briefly discussed in this section.

Addendum Method of Net-widening

The addendum method of net-widening occurs when additional rules or descriptions are tacked onto the end of a previous rule. The addendum method usually expands or clarifies a pre-existing rule and represents the most easily recognizable way that the discipline net can be widened. Figure 5-1 illustrates the way that rules can be analyzed that conveys net-widening through addendum. In the example, the addition of the underlined sections of Rule 1 indicates how the rule is modified. In the illustration, the description of the rule is both expanded and infractions or sub-categories of the rule are added.

Figure 5-1. 'Addendum Method' of Net-widening



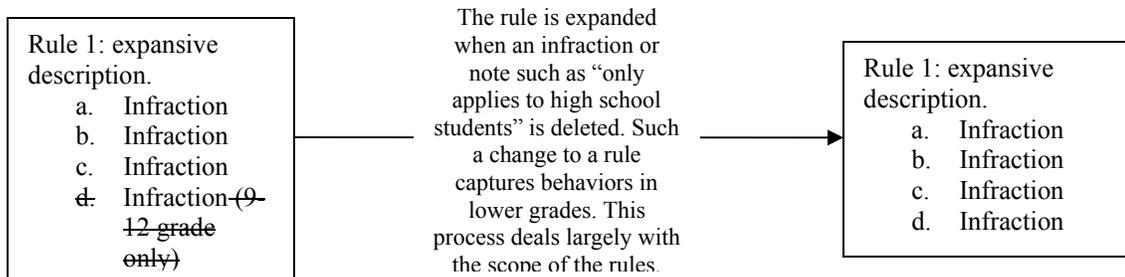
The Prohibition of Disruption of School offers ample evidence of the sort of net-widening presented in Figure 5-1. In COSC 2002-03, the prohibition of disruption of school is modified to include both a more elaborate description as well as additional infractions (this will be described in more detail later in the chapter). In the case of disruption of school many of additional infractions eventually evolve into new rules, a foreboding that often precedes the introduction of a new rule. Another example of addendum method of net-widening is found in the Prohibition of Destruction of Property/Theft across the COSC 1999-00 and COSC 2002-03. This addendum is slightly

different than what is presented in Figure 5-1 because it involves primarily descriptive additions as opposed to infraction additions. Still, other instances unveiled during data analysis reveal additional infractions while rule descriptions remain the same.

Subtraction of Phrase Method of Net-widening (and the importance of Scope)

Opposite of addendum method is the seemingly paradoxical subtraction of phrase method. The subtraction of phrase of net-widening takes place when a descriptive section of a rule or infraction is deleted so that the rule becomes more comprehensive and/or encompassing, leading to increased scope of individual or multiple rules. In these instances of net-widening, delimiting conditions of the rule plays an important role in distinguishing the rule from net-contractions (this concept will be discussed later in this section). Figure 5-2 provides a visual explanation of how the subtraction of phrase method can be identified when analyzing modifications of rules from one code of conduct to the next.

Figure 5-2. ‘Subtraction of Phrase Method’ of Net-widening



To locate such net-widening instances, one must pay close attention to appreciate the explanations embedded within the infractions or notes attached to each rule. In Figure 5-2, the phrase of importance is “9 to 12 graders only.” Once this aspect of the rule is deleted, the scope of the rule is expanded to students in grades other than 9-12. In this

way, scope is covertly embedded within the rules section of the codes of student conduct. In a stand alone section, scope figures more prominently.

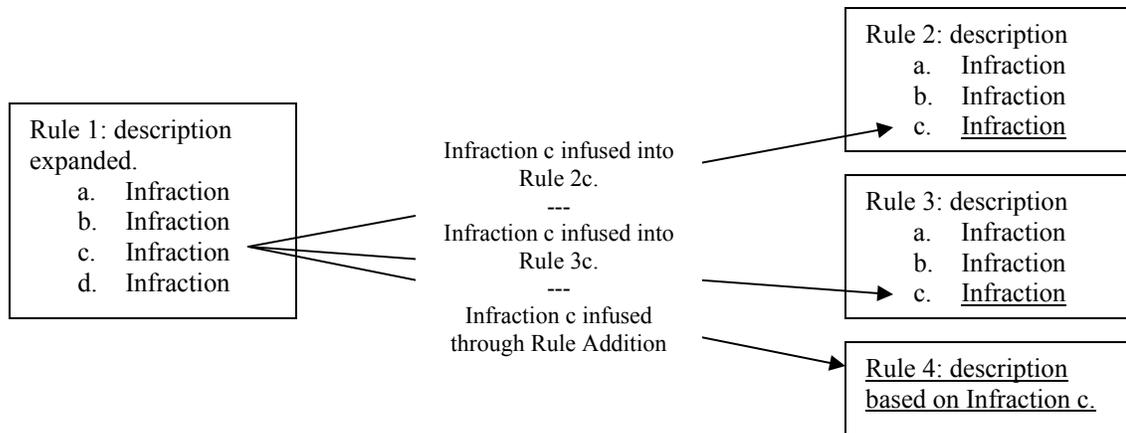
A ‘Scope of the Code’ of conduct precedes the presentation of rules, infractions, and corrective actions in all documents. The scope is important because it essentially establishes boundaries around the student discipline policy. Rules and corrective actions are presented, but the scope articulates where, when, upon whom, and how the rules can be enforced and corrective actions can be enacted. The scope establishes jurisdiction in the dimensions of time, space or location, intent, and person. For example, policy modifications from 1992 to 2004 expand the scope of the code from being centrally focused on school spaces during school hours and moves into other realms of students’ lives, such as non-school hours and into spaces such as public transportation when used travel to and from school. Moreover, self defense as a rationale for fighting or assault, is removed from the code of student conduct.

Scope of the code, both the disembodied stand alone section and the more subtle scope embodied within the language of the descriptions is important to keep in mind when considering the expanded significance of rules and corrective actions. For example, some rules pertain to acts against staff. Others pertain to students. And still, particular rules at certain times pertain to the school community or members of the school community. Understanding the scope of the code’s relation to rules is important because it constitutes a means by which more students can be caught in the school discipline net without actual rules of the policy changing. Essentially, a more expansive scope can widen the school discipline net.

Infusion (Interspersion) Method of Net-widening

The infusion and/or interspersion method of net-widening is the most concealed type of net-widening. This sort of net-widening occurs when a concept, rule, or infraction is incorporated into two or more rules. The infusion process can occur gradually or precipitously and is apparent when a rule, a concept contained within a rule, or a conceptual matter is embedded within multiple rules. Figure 5-3 visually portrays the changes described here. In the figure, infraction c of Rule 1 becomes infused into three other rules. Typically, infractions are added to or embedded within the description of pre-existing rules. Once this process has reached a point of saturation, a new rule often emerges. Saturation occurs once a concept can be found in several rules and is distinct enough to constitute a stand alone rule.

Figure 5-3. 'Infusion (Interspersion) Method' of Net-widening



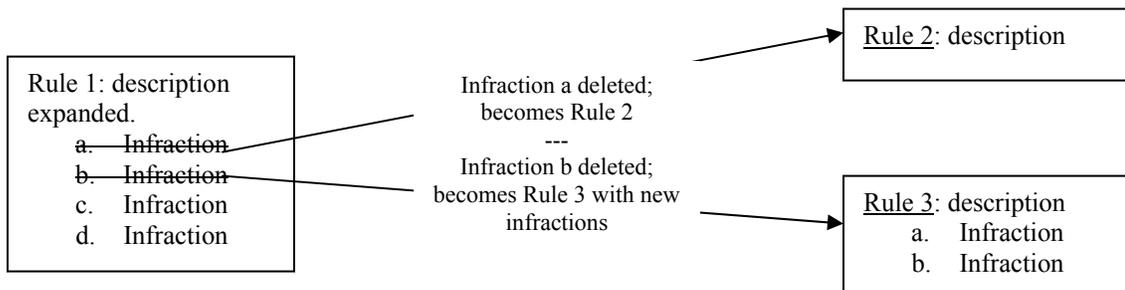
Examples of infusion and interspersion include the prevalence of computer and technology focused rules and the conceptual infusion of prohibiting threats. Rules prohibiting the abuse of computers and technology associated with computer networks and the Internet are clearly stated and over time appear across multiple rules and infractions. Concerns, such as those with abuse or misuse of technology may or may not

exist as official rules or infractions, but often act as precursors to the official introduction of a rule. For example, early codes of conduct have no rules governing Internet use. By the middle years, the concern is infused throughout the code and in latter years is removed from multiple rules and established as an official rule. With threats, the interspersions are more conceptual, appearing in different forms such as harassment, threats, and bullying – all key words that constitute varying contexts specific to concerns about what students have done to what they intend or say they will do to others.

Rule Addition Method of Net-widening

The rule addition method of net-widening occurs when a new rule is added to the code of student conduct. An official rule typically first appears as either an infraction or a description or prohibition of a pre-existing rule. I refer to these as unofficial rule additions. They can be understood upon entry into the rules as an addendum method or infusion method of net-widening; however, over time, prominent infractions or descriptions become stand alone or official rules. Official rules are usually introduced after an infused (unofficial) rule has 1) reached a point of saturation and/or 2) is so distinct an infraction that it warrants its own rule. Figure 5-4 offers an example how rules are added to the code of student conduct.

Figure 5-4. ‘Rule Addition Method’ of Net-widening



The addition of gang colors offers a concrete example of a rule addition that widens the discipline net. Although it can be traced back to the Prohibition of Offensive Language, the rule prohibiting gang colors and symbols proves distinct enough to warrant its own unique rule within a short time span. In referencing the figure above, imagine that rule is prohibition of offensive language. Infractions 'a' and 'b' prohibit offensive symbols and gang affiliated dress. In subsequent years, the infractions are removed from prohibiting offensive language and replaced with two rules: the first deals with prohibition of gang paraphernalia and the other deals with appropriate student dress. Such changes occur throughout the codes of student conduct. COSC 2004-05 undergoes a major reorganization process that results in numerous new rules.

Although the appearance of new rules constitutes the creation of a new official rule, it does not necessarily translate into a wider discipline net. Gang colors differ from threats because it possesses very clear parameters for what constitutes a violation of the rule. This is unlike threats, which is much more ambiguous and is used more so to distinguish severity of acts rather than whether or not a threat, harassment, or bullying occurs.

Threats is not initially a rule contained in early codes of student conduct, but over time becomes infused and then emerges as an official rule; never-the-less threats as an official rule derives from prohibition of harassment and therefore does not necessarily widen the discipline net (there are implications for net-deepening because the two terms place a different value on threats). To assume that net-widening is an automatic consequence oversimplifies the complexity of understanding rule changes. Analysis

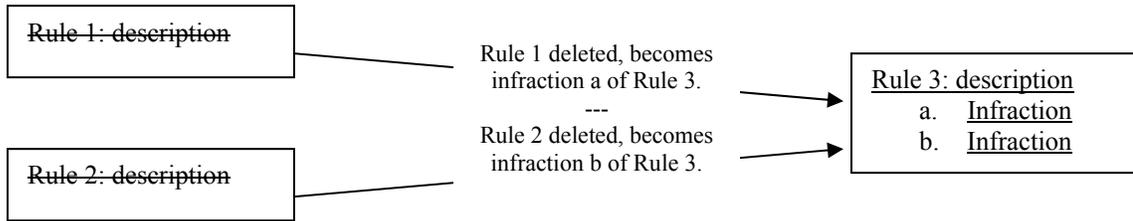
reveals that some changes appear prima facie to be net-widening changes, but upon comprehensive analysis prove otherwise.

Another key finding of this research is that some net-additions are clear attempts to decriminalize student behaviors. Threats, again, is a case in points. The prohibition of threats emerges from rules against harassment and later bullying. The ‘threats’ rule is added as a low level rule that offers disciplinarians an alternative to the two more severe disciplinary infractions. In this sense, the addition of threats is an attempt to punish students by re-classifying harassment and bullying in a less severe manner. It is thus important to understand not only that the rule is added into the official list of rules, but to understand where the rule is inserted.

Net-Neutralizing Changes

Other notable changes include net-neutralizing changes and net-contractions. Net-neutralizing changes are ones that, when considered together, do not widen the discipline net. For example if Rule 1 has three infractions and Rule 2 has two infractions in year one and the subsequent year’s code of conduct reflects a change showing Rule 1 with two infractions and Rule 2 with three infractions, these changes cancel each other out. The concept of net-neutralizing changes highlights the importance of examining school rules collectively rather than individually. Doing the latter can produce misleading results by overstating the impact of how rule changes produce a wider discipline net. An alternate way to understand this process of policy change is that the rules are re-organized for clarity or efficiency. Figure 5-5 provides a visual representation of a net-neutralizing change.

Figure 5-5. Net-neutralizing Change



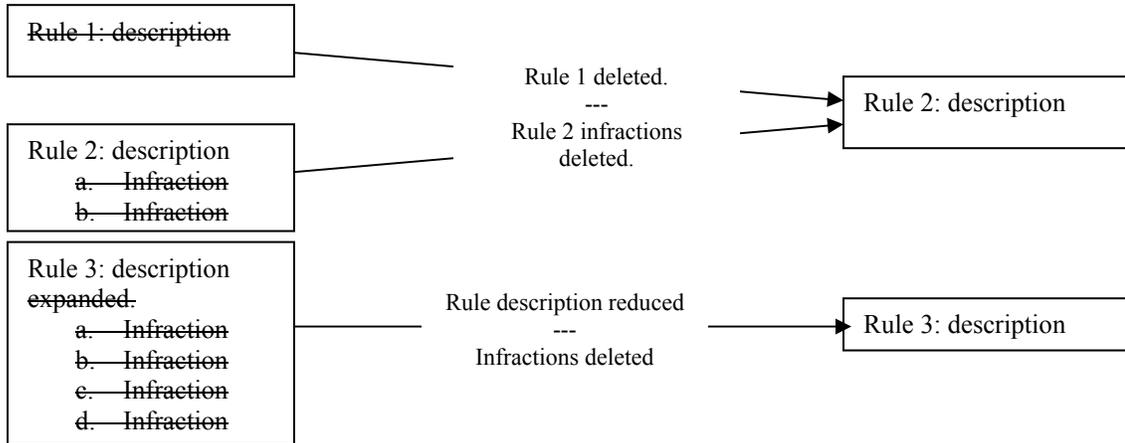
In the figure, the policy change reduces the number of rules from one to two; however, the rules remain a part of the code of student conduct in the form of an infraction. An example of net-neutralizing change is the change that Prohibition of Destruction/Theft of Property as reflected in the codes of student conduct. Before being combined into one rule, the prohibition existed as two distinct rules: the first applied to public (school) property and the second applied to private property. In the COSC 2004-05, the rule is, again, partitioned into two separate rules, but along a different rationale. In this year, the rules are divided based on the financial damage done during the destruction or theft of property. Damage below \$150.00 is listed as a level I violation rule and damage above \$150.00 is listed as a level II violation. Although the rules were re-organized, the fundamentals of each rule remain constant and thus do not widen or contract the school discipline net.

Net-Constrictions

Net constrictions are the opposite of net-widening. Such policy changes occur when infractions and rules are deleted from the code of student conduct. This concept is important because it counters the net-widening perspective of school discipline policy changes and instead focuses on how school rules can be reduced in scope and number. When examining school discipline policy changes, it is crucial to maintain an analytical

scope that does not focus solely on confirming the net-widening theory. Figure 4-6 shows two examples of how net-contractions may occur.

Figure 5-6. Net Contractions



The two images in Figure 5-6 offer examples of how rules can be deleted from the codes of student conduct. First, in some instances complete rules are deleted. Second, as illustrated with Rule 2 and Rule 3 in the figure above, net-contractions can be found in the deletion of rule infractions. If no other changes replace these deletions (to produce a net-neutralizing effect), the discipline net is contracted.

The Interrelatedness of Net-widening Processes

At present, the concepts discussed have been presented independently. Each of the concepts elaborates on and derives from the concept of net-widening. Presenting the concepts independently offers both conceptual clarity and soundly articulates concepts that are useful for further research. But to effectively engage the concepts, one must understand the concepts are interrelated in complex ways. For example, one cannot necessarily argue that net-widening has occurred unless the analysis has also considered net-contractions. The application of an integrated approach that makes use of each analytical concept guarantees a more accurate depiction of net-widening. The following

section uses net-widening and related concepts to describe how School District of Philadelphia school discipline policies changed in the era of zero tolerance.

Applying the Concepts: Net-widening from 1992 to 2004

Using the concepts described in the first section of this chapter, this section provides a detailed description of how a major school district's discipline net-widened over a span of 15 years. It is important to note that none of the net-widening changes described in this chapter necessarily occur independently of one another. Instead, the changes occur in combination, simultaneously, and across several rules, producing different sets of rules and infractions over time. Major instances of net-widening and corresponding net-deepening activity are reflected in the 1999-00, 2002-03, 2003-04, and 2004-05 codes of student conduct across many categories of misbehavior.

1992-93 School Rules: A Narrower Net

To offer a comparative analysis of codes of student conduct for different points of time, it is necessary to establish a clear picture of the character of the 1992-93 school discipline net as the starting point from which subsequent policy changes emerge. For the 1992-93 school year, the code of student conduct is a section called "Student Conduct and Discipline" contained in the student handbook issued by the School District of Philadelphia Board of Education. The COSC 1992-93 contains a total of 13 official rules outlining behaviors and actions that students shall not engage in and the consequences for violating the stated rules (only select rules are addressed in this analysis – see methodology chapter). One rule, number 13 concerning aggravated offenses also contains 8 infractions. The rules provide the starting point for our discussion of the discipline net.

In the 1992-93 code of student conduct, rules do not have specific names. This holds true until 2002-03, when code of student conduct rules are given official names that have since evolved into the rules that are presented by official rule names in the most recent code of student conduct (these are the imposed names). Instead, before 2002-03, rules are named and listed numerically (Rule one, Rule two...Rule eight, etc.), followed by descriptions of what a student should not do. As addressed in the research methods chapter, to establish continuity across documents, rules have been provided with imposed names. These rules are listed in Table 5-1. Rules where n/a is listed as the corresponding rule number are not present in COSC 1992-93.

Table 5-1. List of Rules, COSC 1992-93.

Name of Rule	Rule Number(s)
Prohibition of Aggravated Assault	Rule 13, Rule 13.a., Rule 13.f.
Prohibition of Bullying	n/a
Prohibition of Destruction/Theft of Property	Rule 3, Rule 4
Prohibition of Disruption of School	Rule 1
Prohibition of Fighting	n/a
Prohibition of Gang Colors and Symbols	n/a
Prohibition of Harassment	Rule 13, Rule 13.h.
Prohibition of Offensive Language	Rule 2
Prohibition of Placing Another in Danger	Rule 5
Prohibition of Reckless Endangerment	Rule 5, Rule 6
Prohibition of Simple Assault	n/a
Prohibition of Threats	Rule 1, Rule 5

The rules listed in the Table 5-1 are ones that have the most reported violations based on the Pennsylvania Department of Education's most recently (2006-07 school year) released School Safety Annual Reports. Hypothetically, in 1992, the listed rules would be the ones for which students were most often punished. This is of course based on the theoretical conjecture that student behaviors have remained relatively stable across time as documented with the literature (Steffensmeier et al. 2005). The majority of

students in 1992 would have been viewed as in violation of Rules 1, 2, 3, 4, 5, 6, and subsections a, f, and h of rule 13. With the exception of rule 13, these infractions are considered level I misbehaviors, a distinction that has important implications across time for net-deepening, as does the order of the rules (these issues are examined in the next chapter).

Scope of the code of student conduct 1992-93

In 1992, the scope of the code focuses almost exclusively on ensuring that students follow the rules outlined in the code of conduct within the school context. That is, the rules apply to students during school hours, on school grounds, and apply off school grounds only when students attend school-related outings. In 1992, the code of student conduct scope of the code is as follows:

1. These rules apply not only to a student who breaks them or attempts to break them, but also to any student who encourages or assists anyone else in breaking the rules.
2. The rules apply:
 - a. during school hours in any program, building or on school grounds;
 - b. on school grounds prior to the start of the school day and following dismissal;
 - c. traveling to and from school, including actions on school vehicles or public transportation;
 - d. off school grounds during any school trip, activity, event, or function.
3. Self defense will only apply where the student's action was necessary to prevent injury to him/herself or to another and the force used was not more than that which was necessary to allow escape or prevent harm. Under law you have a duty to, retreat from a possible assault if you can. Under no circumstances except a clear threat to life will the use of a weapon capable of causing serious injury be justified. (underline original) (Scope of Code, COSC 1992-93)

Notice the use of the term student in this particular year. The repeated use of student as the subject of concern suggests that the code is primarily concerned with

students attending the schools. This focus on students also extends into section 3 of the scope of the code that considers the importance of extending the right of self-defense, a gesture that is retracted by 2002. We now turn to our examination of net-widening over the course of several years, beginning with changes occurring between 1992 and 1999.

Net-widening changes from 1992 to 1999

Although minor net-widening changes occurred from 1992 to 1998, the 1999-00 school year provides the first full on example of net-widening phenomena in comparison to the COSC 1992-93. The expansion and clarification of rule descriptions over the 7-year span under consideration alter the discipline net and set into motion many changes that come to full fruition in later codes of student conduct. These changes result in more far-reaching rules which produce net-widening that not only render students more likely to violate rules, but which also place students in the predicament of being punished more severely (net-deepens).

Both the 1992 and 1999 codes of student conduct are housed within the student and family handbook. In COSC 1992-93, a total of thirteen distinct rules are present. Of the 12 disciplinary rules examined in this chapter, a total of 9 of these rules appear in the COSC 1992-93. These same rules are also present in the COSC 1999-00; however it is important to note that in 1992, the code of student conduct contains only 13 specific rules which by 1999 increases to fifteen rules. The notable addition is of a new official rule addressing harassment being broken out of the aggravated offenses category.

The rules that are part of this analysis – prohibitions of aggravated assault, destruction / theft of property, disruption of school, harassment, offensive language, placing another in danger, reckless endangerment, and threats – are the eight that undergo

modifications from 1992 to 1999 that constitute net-widening. Of the thirteen listed rules in 1992 and of the fifteen rules listed in 1999, none mention bullying, gang-colors, or fighting.

In the COSC 1999-00, each rule clarification or more expansive description typically appears at the end of the previously existing rule description. The consistent pattern of expanding rules through addendum as a mechanism of clarification and specificity occurs with several rule descriptions. For example, while aggravated assault remains an infraction of Rule 13 in the COSC 1999-00, it produces a net-widening effect as the definitions of weapons used or attempted is clarified to include mace, pepper spray, or laser pointer – clarifications are also parenthetically added to the end of the previous rule description as such:

Rule 14.a.: A student shall not engage in or attempt to engage in any conduct which endangers the health, safety or welfare of any member of the school community, including but not limited to...assault on another student of other non-employee which results in serious injury or involves the use or attempted use of a weapon (including mace, pepper spray or laser pointer). (Rule 14.a., COSC 1999-00)

Technology Rule Interspersion

In COSC 1999, addenda and other rule expansion strategies deal assertively with prohibitions against misusing technology. By 1999, the introduction of technology and computer based prohibition, interspersed throughout various rules, constitute a major distinguishing feature of discipline policy rule changes. In the COSC 1999-00, the misuse of technology is included with pre-existing rules. For example, the Destruction / Theft of Property rule in 1999-00 reads:

A student shall not steal, attempt to steal, damage, or attempt to damage, the private property of others; or to harm or destroy data of another

student or person, the Internet or other networks. This includes, but is not limited to, the creation or uploading of computer viruses. (Rule 4, COSC 1999-00)

Misuse of technology appears prominently throughout the COSC 1999-00 and continues in all subsequent years, eventually constituting its own official rule. Another example of how technology is interspersed is found in the Prohibition of Destruction / Theft of Property. In earlier codes of student, the description of this rule ended after “private property of others” and did not consider the misuse of technology, the Internet, or other computer based networks. Similar, albeit less fully developed, changes concerning technology occur across other low level rules. Rule 1: Disruption of School, the lowest rule across all codes of student conduct even reflects this change. The 1999 description of Rule 1 contains phrases such as “abuse of network access privileges” and “operation of school computer networks,” facets not present in the COSC 1992-93. The same is true for offensive language, which by 1999 cautions that students “shall not send or receive offensive ... messages or pictures from any source,” a prohibition in line with the other changes concerned with deterring misuse of various electronic and technological modes of communication.

Harassment becomes of rule

Another prominent change in school discipline policy as reflected in the COSC 1999-00 is the addition of the Prohibition of Harassment as an official rule. Previously a subsection of Rule 13: Aggravated Offenses (Rule 13.h.), harassment becomes official Rule 10 in the 1999 code of student conduct. It remains an official rule in subsequent years, undergoing several changes and overlapping with other rules as the discipline policy attempts to deal with threats, intimidation, bullying, and other student

misbehaviors, each of which fully evolve in the COSC 2002-03. The introduction of harassment as an official rule represents a rather comprehensive attempt to deter such behaviors that affect the school community:

No student shall engage in verbal or physical activity which he / she should reasonably expect, considering factors including his / her age and mental development, to have the effect of harassing any student, staff member, or school visitor. Harassment, for the purpose of the this rule, includes a course of conduct including, or a single aggravated incident involving, among other things a) unwelcome sexual advances, propositions or sexual comments such as sexually-oriented gestures, sounds, remarks, or comments about a student, staff member or visitor's sexuality or sexual experience; or b) offensive expressions concerning a person's race, sex, religion, disability, or national origins. (Rule 10, COSC 1999-00)

This introduction signals a clear stance that harassment is an issue that stakeholders believe needs to be addressed and applies to the student-on-student behavior. The brief mentioning of harassment in the COSC 1992 falls far short of establishing harassment as a genuine disciplinary concern embedded within the everyday problems of schools. In fact, in the COSC 1992, the only mention of harassment pertains to the harassment of school employees and hearing officers. In short, students were to refrain from interfering with school investigations, academic and disciplinary hearings (Rule 13.h., COSC 1992-93). By 1999, the prohibition of harassment rule pertains to the broader school community, reflecting a concern with eliminating harassment from the day-to-day milieu of the school.

Changes in scope of the code of conduct

In many ways, the 1999 scope of the code remains similar to that found in COSC 1992-03. The only difference though is a significant one. Section 2 is expanded from four applications of the code to five. The addition, application e. states that rules also apply

“off school grounds when the conduct may reasonably be expected to undermine the proper disciplinary authority of the school or result in disruption within the school” (Scope 2.e., COSC 1999-00). This single addition greatly extends the disciplinary authority of the school. The sweeping statement makes no delimitation concerning times or places where incidents occur, but does remain focused on the relation of the event to the school environment.

This shift in focus from protecting school employees to protecting both employees and students is also widely reflected in changes from the 1992 to 1999 school year. Previous bifurcations such as student and employee, school property and private property begin to transition more concertedly into rules concerned with members of the school community. The notion and concern for school community is featured more prominently in the COSC 1999, although it does not replace the use of distinctions such as student, visitor, staff, and employee, within school rule descriptions. The distinguishing of the staff and employee often corresponds with more severe disciplinary responses. In subsequent codes of conduct, these distinctions become increasingly evident.

Finally, the code of conduct reflects a re-organization of infractions. In the COSC 1992-93, the prohibitions of aggravated assault and of harassment each were subsections of a general rule against all aggravated offenses, Rule 13. Rule 13, in the early codes of student conduct encompassed all serious rule violations and warranted level III responses for infractions. By 1999, Rule 13 is moved up to Rule 14, along with Rules 10, 11, and 12, making room for the addition of prohibition of harassment as official Rule 10. Many

of the types of changes discussed here continue in various forms throughout the policy creation process in subsequent years.

Net-widening from 1999 to 2002 School Year

The COSC 2002-03 reflects a clear attempt on the part of the code of conduct authors to produce a district code of student conduct that is more concise and encompassing of the how everyday discipline problems are perceived within the district. The priority for precision is evident in reorganization of the code of conduct. Along with a reorganization of the code, there is an overt break from where the discipline rules were located in previous years. Until the 2002-03 school year, codes of student conduct are a section of the student and family handbook or student handbook. 2002 marks the first year that the code of student conduct is issued as a stand alone document, allowing for the introduction of much greater detail about what constitutes disciplinary infractions and the appropriate responses.

The scope of the code is modified more extensively in the 2002 year. First it is reworded to ensure that off school grounds incident do not jeopardize the safety of the students or staff. Secondly, notable omissions appear in COSC 2002. The scope of the code neither indicates to whom the code of conduct applies, nor does it offer immunity to violating students who might argue their actions were in self defense. The scope is streamlined, omitting references to students to simply read that “these rules apply,” after which five applications are issued. The five applications reveal a new scope that deals more pointedly with the dimension of time and location of incidents. The code issues a proscription of violations at any time when the school is being used by a school group, not simply immediately before or after school hours as in previous years.

The changes, based on the sheer volume and content, appear deliberate and intentional, whereas previous years involved small changes over a comparatively protracted period of time (from 1992 to 1999). Additional details included in the code of student conduct include a glossary of terms, a host of tangential sections that relate to student discipline, and a new school rule presentation format. Some examples of tangential sections are the statement of student rights section (and statement of rights of students with disabilities), a statement dedicated to addressing the newly adopted mandatory district-wide uniform policy, information on counseling services, and a statement on commitment to the equal treatment of all students. Also important are both the covert and overt changes to school rule descriptions, the reordering of rule numbers, and the fact that rules are listed as names.

The format of the COSC 2002-03 and the fact that it is a stand alone document supports the offering of more detailed information about rules. As such, the changes are quite expansive and involve more than the addendum rule changes that occurred from 1992 to 1999. The entire COSC 2002-03 can be understood as having been revamped in all regards. While the significance of transitioning the code of student conduct from the student handbook to a stand alone document is important, the primary concern of this section is to continue describing the expansion of previously identified school rules; however, it is paramount to understand that precipitous change to a stand-alone code of student conduct format underscores the extent of net-widening changes reflected in the COSC 2002-03.

Introduction of official rule names

By 2002 each listed rule has been given a name by the School District of Philadelphia. It is from these names which the imposed names used to identify rules in previous years derived. The COSC 2002-03 contains a total of fourteen officially named rules, one fewer than the COSC 1999. Rule 15, COSC 1999-00 is absent from COSC 2002-03; this rule prohibits the misuse of district networks, reflecting the prominent concern with misuse of technology that characterizes the rule changes from 1992 to 1999. Of the rules that are part of this analysis, I highlight or discuss in detail several noteworthy changes: the broadened descriptions of destruction/theft of property and disruption of school, the unofficial introductions of bullying and fighting as infused throughout other official rules, the addition of prohibition of gang colors and symbols, and the extensive re-conceptualization of prohibition of threats.

The significance of rule descriptions expansions

In the COSC 2002-03, both Rule 3 and 4: Destruction/theft of Property and Rule 1: Disruption of School read markedly different than in previous years. These two rules provide strong examples of the dramatic nature of the rule changes from 1999 to 2002. While the crux of each rule remains unchanged, the specificity of the rules reflects a clear attempt to do away with ambiguities these two low-level rule violations may have previously contained. Let us begin by examining changes to Rule 3 and 4. Table 5-2 presents the descriptions of prohibition of theft for 1999 and 2002.

TABLE 5-2. Comparison of Rule Descriptions, Prohibition of Destruction / Theft of Property 1999 and 2002

Prohibition of Destruction/Theft of Property, COSC 1999-00	Prohibition of Destruction/Theft of Property, COSC 2002-03
<p>Rule 3: A student shall not recklessly or intentionally cause or attempt to cause damage to, or deface, school property, or attempt to steal school property. Serious damage, defacement or theft will be treated as an aggravated offense under Rule Fourteen.</p>	<p>Rule 3: <u>Students are expected to respect school property.</u> Students shall not recklessly or intentionally cause or attempt to cause damage to, or deface school property, or steal or attempt to steal school property. <u>Damage and defacement include graffiti, carving, tearing, cutting or otherwise marking school property.</u></p>
<p>Rule 4: A student shall not steal, attempt to steal, damage, deface or attempt to damage or deface, the private property of others; or to harm or destroy data of another student or person, the Internet or other networks. This includes, but is not limited to, the creation or uploading of computer viruses.</p>	<p><u>False activation of a fire alarm seriously disrupts the educational process and is strictly prohibited.</u> Serious damage, defacement or theft <u>that interferes with the educational or safety rights of others</u> will be treated as an aggravated offense under Rule 14.</p>
<p>Rule 4: A student shall not steal, attempt to steal, damage, deface or attempt to damage or deface, the private property of others; or to harm or destroy data of another student or person, the Internet or other networks. This includes, but is not limited to, the creation or uploading of computer viruses.</p>	<p>Rule 4: <u>Students are expected to respect the property of others.</u> A student shall not try to steal, damage, deface or destroy the private property of others. <u>This conduct is not allowed whether it is on school grounds, during a school activity, function or event off school grounds, or while traveling to or from school.</u> Students may not harm or destroy data of another student or person, the Internet or other networks. This includes, but is not limited to, the creation downloading or uploading of computer viruses. <u>Computer violations of a criminal nature are treated as an aggravated offense under Rule 14j.</u></p>

The first obvious examples of net widening are the additions of actions that violate the rules. In the same fashion as 1999 rule expansions, these additions are made at the end of the first block of descriptive text in Rule 3 and specify that in addition to previous forms of defacement being prohibited, so are other acts: “damage and defacement include graffiti, carving, tearing, cutting, or otherwise marking school property” (Rule 3, COSC 1999). Beyond these specifications, the prohibition of falsely activating a fire alarm is added as an extended clause to Rule 3, although it seems based on the description that, this prohibition of setting fires would be more suitable under the prohibition of disruption of school (subsequent codes of conduct place this clause in different sections).

Rule 4, which also deals with destruction/theft of ‘private’ property, offers an interesting example of how the discipline net can be widened by expanding or contracting the scope of a rule. The major change in this rule is inserted directly in the middle of the rule description. Instead of describing the rule infraction, it makes clear the scope of the rule, that the behavior described herein is not allowed “on school grounds, during a school activity, function or event off school grounds, or while travelling to or from school.” This insertion marks the beginning of a fundamental shift from discipline as a matter of school safety to a matter of controlling student behaviors beyond school hours, events and functions, and properties, and is reflecting from 2002 beyond. Finally, within the COSC 2002-03, each rule begins with an expectation, re-framing the nature of the request to be more proactive and positive.

If Rules 3 & 4 are useful as examples of the ways the substance of rule descriptions differ in 1999 and 2002, then Rule 1: Prohibition of Disruption of School, is

useful because it provides an example of net-widening through addition of rule infractions. This particular rule illustrates how the reformatting of rule presentations facilitates the expansion and clarification of previously existing rules. Prior to 2002, few rules contained specific rule infractions or sub-categories. Most notable in early codes of student conduct is the prohibition of Aggravated Offenses, which contained ten sub-categories at its most expansive stage. In COSC 2002-03, Rule 1 also contains ten specific rule infractions, nine of which constitute rule expansions due to the specificity that was lacking in prior years. Only infraction 1.b. contains language found in prior codes of student conduct.

Based on the infractions listed in COSC 2002-03, disruption of school violations include, but are not limited to running or making excess noise in the school building, tardiness, violation of the student dress code (a district-wide mandatory uniform policy was adopted in 2001), loitering, copying the work of another student, and plagiarism from the library or Internet, to name a few. This is a substantially different rule than in 1999, which simply explains that a student may not “by use of violence, force, noise, threats, intimidation, fear, passive resistance, abuse of network access...disrupt or interfere” with any school function (Rule 1, COSC 1999-03). By 2002, the rules are clearer in their statements that describe what should not be done, not simply by what means.

Expansions precede official rule introductions

The COSC 2002-03 introduces key terms and expands on concepts that receive further elaboration in following years. Many of the new Rule 1 infractions mentioned above eventually become official rules. Of the infractions that eventually become

distinctive rules is one that prohibits fighting, defined as an altercation between two people resulting in no injuries. Not until 2002 is fighting mentioned and defined in codes of student conduct. The same is true for the introduction of bullying, which enters into the official discourse of school discipline policy as Rule 10.c., a sub-category of the prohibition of harassment. Bullying is also mentioned in Rule 5's description of reckless endangerment that should be elevated to a level II offense. Even though the specifics of how bullying differs from threats or harassment or how fighting is different from simple assault are not articulated, these introductions of key terms nonetheless provide an impetus for such elaborations to occur in subsequent years.

Other new rules are introduced as both sub-categories and as officially listed rules. Prohibition of Gang Colors and Symbols is a case in point. In 2002, this rule is added to the Prohibition of Offensive Language both in nomenclature and in descriptive categories. Hence, in 2002, Rule 2 is aptly named Prohibition of Offensive Language/Gang Colors and Symbols and includes the warning that students may not overtly display any symbols of gang affiliation (Rule 2.d., COSC 2002-03). While some rules such as the new prohibition of gang colors and symbols provide more encompassing rules in a very clear manner, others widen the discipline net in ways that are more ambiguous.

Infusion and confusion over harassment

Two rules in COSC 2002-03 offer examples of net-widening that are not clearly apparent: prohibition of harassment and prohibition of threats. Although harassment is re-defined in the typical addendum method with the addition of the bullying infraction, it is expanded also by the subtraction of a phrase. In the COSC 1999-00, the prohibition of

harassment rule description reads “no student shall engage in verbal or physical activity, which he/she should reasonably expect, *considering factors including his/her age and mental development*, to have the effect of harassing any student, staff, member, or school visitor. In 2002, the delimitation “considering factors including his/her age and mental development” is no longer present. By removing the consideration of age and mental development as requisite to determining what constitutes harassment, the rule becomes more encompassing creating the likelihood that more students can be found to violate this particular rule. Closely associated with this maneuver is the far reaching move to incorporate the prohibition of threats into numerous rules and infractions.

In 2002, the prohibitions against threats still not appear as an official rule. Despite remaining unofficial, by 2002, the prohibition of threats is incorporated into four rules and part of numerous sub-categories. In COSC 2002-03, threats are mentioned in Rules 5, 10, 11, and 14. In addition to the increased presence, the relatively high rule ordering of rules related to threats suggest that threats are an issue to be taken seriously in 2002-03. Whereas the COSC 1999-00 Rule 14.i. subsection related to threats reflects the same concern about threats as 1992 – not interfering or threatening the integrity of a school investigation – by 2002, the code of student conduct treats threats as an entirely different matter. Still listed as Rule 14.i. the new description of threats spells out the prohibition of threats related to planting bombs or other explosive devices, the use of weapons including biological or toxic substances, and homicide or serious injury to any member of the school community. Such prohibitions reflect rule infractions reported in PDE school violence and safety reports as crimes against society.

Clearly 2002 marks a blunt shift in school discipline policy discourse and rule making as reflected in COSC 2002-03. Key changes include the reorganization of the code of student conduct itself, for the first time produced as a stand alone document dedicated solely to the issue of conduct and discipline. The code takes on a new level of sophistication as do the rule descriptions found within. More importantly, the COSC 2002 provides the organizational and conceptual foundations for forthcoming codes of student conduct, essentially providing the blueprint by which subsequent net-widening is easily achieved as a matter of policy creation.

Net-widening from 2002 to 2003 School Year

The COSC 2003-04 continues the process of refining the discipline policy in the manners initiated in the COSC 2002-03. The major changes that are evidence in the COSC 2003-04 include a significant re-ordering of rules and addition of official rules. This re-ordering usually results when rules that were previously rule infractions become official rules, complete with official titles and often accompanied by their own sub-categories. The format across these years remains largely unmodified.

Distinguishing features of the COSC 2003-04 are the continued expansion of the prohibition of harassment and the permeation of prohibition of threats across numerous rules in the code of student conduct, a trend that started in the previous code of student conduct. Finally, it is worth mentioning that in 2003 many rules begin to articulate outcomes as a means to measure the severity of rule violations. The outcomes-of-misbehavior way of making the case for how rules should be ordered along with the elimination of level III violations becomes more perceptible in 2003. These issues will be addressed more intricately in the sections describing net-deepening. Let us turn out

immediate attention to the instances of net-widening found through analyzing changes in student codes of conduct from 2002 to 2003.

Rule reordering and other changes that may not net-widen

Although the official listed rules undergo modification, there is no increase or decrease from 2002 to 2003 in the number of official rules listed in the code of student conduct. As is the case with the COSC 2002-03, there are fourteen official rules presented in the COSC 2003-04. By 2003, official prohibitions against bullying and placing another in danger remain the sole rules that are not present; however, references are made to bullying as early as 2002 and these references remain in the COSC 2003-04. Although the number of rules does not change, the number of rules that are presented as official rules does. Rules 3 & 4, previously both describing the prohibition of destruction/theft of property (one for school property, the other for private property) are combined as Rule 5. The prohibition of fighting and a rule called the prohibition of reckless conduct/false fire alarm (reckless endangerment) replace the destruction of property rules as Rule 4 and Rule 5, respectively.

Fighting is elevated to the status of official rule in COSC 2003-04. Previously a sub-category of Rule 1: Disruption of School, the prohibition of fighting is officially described as a physical confrontation between two or more students who engage in mutual confrontation involving intentional physical contact (Rule 4, COSC 2003-04). The clarification of fighting has special bearing on distinguishing a fight from an assault, a distinction that is not reconciled within the code of student conduct rules section until 2003 with the description of this rule (different definitions of each term are present in the COSC 2002 glossary of terms section).

The COSC 2003-04 offers the first clear examples that counter the net-widening tendencies of discipline policy rule creation. For example, Rule 5: Reckless Conduct/False Fire Alarm, what has been and is referred to as reckless endangerment throughout this analysis, is expanded in 2003, but does result in net-widening. The expansion of COSC 2003-04 Rule 5 contracts COSC 2002-03 Rule 3: Destruction/theft of property by taking on the clause addressing false fire alarms. This further consolidates COSC 2002-03 Rule 5, neutralizing the net-widening effect of the change. This untypical move exemplifies discipline policy reorganization that does not produce additional disciplinary infractions. Here, the prohibition of reckless endangerment, which appears in every code of conduct, usurps a section of another rule.

Another small change that counters net-widening is the removal of infraction 2.b. from the prohibition of offensive language. In the COSC 2003-04, the clause “a student shall not try to maliciously damage the reputation of anyone in the school community” (Rule 2.b., COSC 2002-03) is no longer part of the prohibition of offensive language. I offer these counter examples because of the dearth of such instances, but warn that even these changes should be considered in the context of the many instances of net-widening that do occur from 2002 school year to the 2003 school year. Otherwise these examples of neutralizing net-widening can be misleading. Despite such changes, there are implications related to the net-deepening effect because of how the rules are re-ordered. Juxtaposed against the vast expansion of the prohibition of harassment and the prohibition of threats, the small subtraction from the offensive language rule becomes a less noteworthy net-contraction.

Increased infusion re-blurs rule distinctions

Harassment and threats, as disciplinary matters, become infused within the code of student conduct in 2003. The descriptions for both harassment and threats encompass several other rules and phrases found throughout the code of student conduct. The overlapping nature of these rules with other rules produces an ambiguity reminiscent of earlier codes of student conduct, re-blurring lines of distinction between rules that were made clear in the COSC 2002-03. Still Rule 10, the 2003-04 description of prohibition of harassment reads like a combination of prohibition of harassment, threats, and offensive language, and aggravated offenses. Additions to the rule in the COSC 2003-04 include the following clarifying clauses:

An aggravated incident is one which would reasonably put a victim in fear for his/her safety or well being if the offender remains in the school;

Threats include any attempt, by physical menace, or verbal intimidation or taunt, to put a member of the school community in fear of injury, pain or social ridicule. The intentional posting on networks of the addresses or telephone numbers of fellow students or other members of the school community is a violation of this rule;

This rule includes spoken and written messages including on any bulletin board, flyer or notice; or over the public address systems or computer networks, or displayed on a student's personal belongings; and

Threats to bomb, kill injure or use dangerous or deadly weapons will be treated as an aggravated offense under Rule 14.i. (Rule 10, COSC 2003-04)

Given the description of the additions to Rule 10, the changes confound with changes to the prohibition of threats. These additions do not coincide with any deletions of subcategories or subtraction of any phrases from the previous year. Such an expansion clearly demonstrates the net-widening of the prohibition of harassment. Moreover, the

rule provides a clear pathway into Rule 14: Prohibition of threats, which remains intact as well as expanded by way of interspersion throughout rule 10 as evidenced above.

Net-widening from 2002 to 2003 involves more tinkering and subtle expansions of rules than the clear break found from 1999 to 2002. Nonetheless, the changes are important considering two seemingly contradictory features: 1) the attempt to provide increasingly clear distinctions in COSC 2003-04 such as that made between fighting and simple assault and 2) the re-introduction of ambiguous rule descriptions as illustrated by the expansion and overlaying of harassment and threats. If the COSC 2003-04 reflects a well intentioned but lackluster attempt at producing a clear discipline policy, the COSC 2004-05 proves extremely bold in its attempt to correct the code of student conduct for clarity of meaning and organization.

Net-widening from 2003 to 2004 School Year

The COSC 2004-05 is organized into 28 rules and sets a new tenor for the presentation of rules. The rule descriptions are clear and concise, streamlined into simple phrases and infractions, and generally state what student shall or shall not do. This departure from the framing of rules as student expectations produces a uniquely different tone in comparison to previous codes of student conduct. It is the COSC 2004-05 that establishes the standard for codes of student conduct in all subsequent years that are part of this research study (COSC 2007-08). For this reason it is the final year discussed in this analysis. The COSC 2005-06, COSC 2006-07, and COSC 2007-08 uphold the same format, organization, and general tone as COSC 2004-05 although minor changes do exist. This code of conduct offers, as does the COSC 2003-04, isolated examples of net-reductions, instances of net-neutral changes, as well as occurrences of net-widening.

Descriptions of the later two changes will take up the bulk of this section and the prior will be addressed sporadically as examples emerge.

All rules are present

Many of the imposed rule names appear for the first time in this year. Therefore, most of the rules discussed in this section share the same official rule name as the imposed name used to analyze the documents across time. New official rules that appear in the COSC 2004-05 include Rule 24: Aggravated Assault, Rule 17: Bullying, Rule 28: Placing Another in Danger, and Rule 12: Simple Assault. Each of these rules has already been discussed in this analysis, albeit to different degrees. But 2004 marks the first year that each is present as an official rule named and listed in the rules section of the code of student conduct. Contrary to the net-widening tendency of past rule additions, none of these official additions widen the discipline net.

Although examples of net-widening are present, the COSC 2004-05 offers several changes that constitute net-neutralizing changes, that is, the reorganizing of rules that do not take away or add to the likelihood that students will get into trouble, but that appear prima facie as net-widening. Upon close examination, these changes are indeed mere reorganizations of previous rules. Examples that are discussed in this section include the official addition of Rule 28: Placing another in danger and the listing of 28 official rules as opposed to the listing of the typical 14 rules that comprise the rules section in the previous years. Counting the number of rules as evidence of net-widening is tempting yet fallible in its simplicity. Although 28 rules are listed, the COSC 2004-05 is not necessarily more overtly punitive in the way one might expect. As mentioned earlier,

perhaps the most striking differences between this code of student conduct and the others that have been described is the change in organization and tone.

Two of the new official rules prohibiting aggravated assault and placing another in danger derive from the rule against aggravated offenses in earlier codes of student conduct. Previously infractions of Rule 14, each rule maintains the high rule order indicating that each are rule violations that are to be taken seriously. Prohibition of aggravated assault, which posits that “students shall not cause, attempt to cause or threaten to cause serious bodily injury to another student or visitor without regard to the value of human life or with a weapon” (Rule 24, COSC 2004-05) remains very high on the list of rules, indicating its seriousness.

More than threats

Prohibition of placing another in danger ranks the highest among all rules and includes infractions such as setting a fire on school grounds (initially introduced as a sub-category of the destruction of property/theft rule) and threatening to plant or use bombs or other explosive devices. Other than the reference to setting of fires on school grounds, the language used in each of these rules are not new. Rather, the language uses are variations of aggravated offenses, recklessness as relates to false fire alarm activation, and of the prohibition of threats as found in previous codes of student conduct. The severities of the prohibitions are elevated. In the COSC 2004-05, the prohibition of placing another in danger amounts to crimes against society, a category of violent offenses created by the Pennsylvania Department of Education.

By 2004, the prohibition of threats is so deeply imbedded within other rules throughout the code of student conduct that the official rule prohibiting threats is reduced

to the simple statement that “a student shall not communicate, directly or indirectly, any threat to another Member of the School Community that places him/her in fear of injury, pain, or ridicule” (Rule 10, COSC 2004-05). Because threats is imbedded so deeply into the codes’ overall tone, the prohibition, which appears officially for the first time in COSC 2004-05, is rendered unnecessary insofar as it offers a distinct rule that any student is likely to break. As Rule 10, prohibition of threats is relatively low on the scale of seriousness and constitutes a level I violation. In this regard the prohibition of threats allows for early low level intervention if this rule is applied in lieu of rules such as bullying or harassment. In other words, the concern with threats is spread so broadly across the code of conduct that the infraction could be paired with numerous other violations. It perhaps represents a means of targeting low level harassment and bullying without punishing students at the highest violation level.

The prohibition of bullying and the prohibition of harassment, rules 17 and 18 respectively, represent notable changes from the 2003 to 2004 school year discipline policy. The prohibition of bullying’s official entrée in the code of student conduct occurs in COSC 2004-05 although the word bullying is mentioned twice in the COSC 2002-03. This particular rule adds little new to the rule creation process. It does signal a significant shift in discourse, joining threats, but more closely harassment as serious violations. In fact, in 2003, sub-category c of Rule 10: Prohibition of Harassment reads that harassment includes efforts to bully or ridicule. Rule 17, COSC 2004-05 states that:

- Students shall not intimidate or Bully members of the school community.
A student violates this rule if he or she:
- a. repeatedly threatens another individual or engages in conduct in violation of Rule 10 (Prohibition of Threats);

- b. threatens another Member of the School Community with serious bodily injury;
- c. repeatedly posts information on internet sites, bulletin boards, school walls, individual's personal belongings, or other locations, about an individual without his or her consent.

The listed infractions describe prohibitions that have existed in nearly every code of student conduct examined in this study, but the gravity of what is described has changed nonetheless. The acts of misbehavior are not different. What is different is what the acts are called – bullying. So while the behaviors have not changed, what the behaviors are called has. While not necessarily a move that produces net-widening, such changes can contribute to the net-deepening of school discipline policy by shifting the official discourse from threats to bullying, essentially reframing the way particular behaviors are discussed and articulated and to whom the suggested culprits are likely to be (targets lower grade levels).

This is so because bullying means something different and new. Otherwise there would be no need to introduce new terminology in such a pronounced manner. Bullying is an infraction to be taken seriously, as indicated by its relatively high order within the list of rules and close proximity to harassment. Bullying's exceptionality from harassment and threats appears to be its concern with repetitious behaviors, although sub-category 17.b. makes no mention of repeated actions as a precondition for breaking the rule. Bullying may allow harassment and threats to be taken seriously amongst younger student populations by shifting discourse to fit into a more age appropriate context. While bullying exemplifies a discourse shift, harassment turns a new page in the school discipline policy creation process.

Harassment

In COSC 2004-04, harassment evolves beyond the code of student conduct. The prohibition of harassment rule begins by stating that “students shall not violate the Anti-Harassment Policy of the School District, which can be found at [the school district’s website]” (Rule 18, COSC 2004-05). The expansion of harassment beyond the rules section of the code of student conduct offers a unique challenge to this analysis in particular and to the study of district codes of student conduct generally by expanding the units of analysis beyond the code of student conduct and into additional policy documents.

Harassment also undergoes addendum net-widening expansion. Additional reasons that school community members should not be ridiculed are disability, socioeconomic status, and/or political beliefs, attributes that are not mentioned in previous codes of student conduct. The rule then succinctly expounds about how “a student violates this rule if he or she ... threatens, intimidates, or otherwise creates a hostile school environment,” the last statement hearkening back to the concern for protecting the school community. The mentioning of school environment further suggests a concern for maintaining the integrity of the institution, not merely the members of the institution. Such changes exemplify the new tone set by the COSC 2004-05.

Other noteworthy rule changes are also present. These include the addition of possession of cell phone or use to Rule 1, the official introduction of simple assault as a bodily injury or attempted bodily injury to another student or visitor (Rule 12, COSC 2004-05), and the clarification that gang colors and symbols can include sports

paraphernalia intended to show allegiance to a gang. Such minor instances of net-widening can be found throughout the COSC 2004-05.

The prohibition of destruction / theft of property is based on the cost of damage done and is re-organized accordingly. The outcome-based approach considers damage done to school or personal property not exceeding \$150.00 to be a level I offense. Damages resulting in losses in excess of \$150.00 are treated as a level II offense, carrying stiffer consequences. Finally, the misuse of technology is no longer imbedded into numerous rules. Whereas, this issue is of serious concern in past years, references to the misuse of technology are very limited within the rules examined in this code of student conduct.

By 2004-05, the scope of the code applies to any conduct that occurs on school grounds at *any* time. A student engaging in what the school deems inappropriate behaviors are subject to corrective actions regardless of where or what time the incident occurs, insofar as the school may reasonably expect the actions may undermine, endanger, or disrupt the school environment. The implications of a more encompassing scope of the code and other changes to rules are especially important for urban students who often spend their leisure time on school playgrounds.

Chapter Conclusion

In this chapter, I have described in detail the process of net-widening of the school discipline net over a span of 13 years. From 1992 to 2004, the school discipline net has undergone several key changes that are summarized in this conclusion. Key changes include some expected instances of net-widening, such as clarification or expansion of rule descriptions through addendum clarifications, addition of official rules,

additional infractions, and unofficial rules. Unexpected instances of net-widening include net-widening through interspersions of violations across rule descriptions and net-widening of scope through deletions of delimitations. Net neutralizing changes and net reducing changes are also findings of this analysis. Although no definitive patterns of change emerge, several notable occurrences (such as point of saturation) may reveal patterns if examined across a longer period of time, across a larger set of codes of student conduct from other districts, or from both.

Expected net-widening of school discipline policies expands the school discipline net by clarification of rules and the addition of extra unofficial and official rules or infractions. The additions are often added to the end of the previous year's rules, a practice referred to in this analysis as addition through rule addenda. In some instances, a rule grows so extensive and all encompassing that a sub-section or clause of the rule is removed that then becomes its own unique rule (or policy document as is the case with harassment). This typical manner of net-widening is the most common process by which the discipline policies become more numerous and all encompassing.

Unexpected net-widening changes were uncovered, including net-widening through deletion and net-widening through interspersions. Net-widening through deletion occurs when a delimitation of a rule is removed from the official description. For example, if a rule explicitly states that a student's developmental or maturity should be considered in deciding if the student violates a rule, and this clause is deleted, then the rule becomes more all-encompassing. It creates, as net-widening changes do, the likelihood that more students will get into trouble because the rule is expanded to include

all students without regard to maturity. Net-widening through interspersion offers another unexpected example of net-widening.

Net-widening through interspersion refers to the penetration of one prohibition into other rules and prohibitions. Analysis of net-widening occurrences reveals that misuse of technology, threats, and harassment each become infused into many rules in the code of student conduct over the years under consideration. Infusion is apparent where rules overlap across time. These rules are not replaced, but expanded, broadened, and clarified in ways that add significantly to number of ways students can get into trouble. In early codes of student conduct, for example, rules such as Rule 5 often encompassed several prohibitions that are established as official rules in the most recent code of student conduct (COSC 2007-08). For example, in 1999, Rule 5 addresses placing another in danger, reckless endangerment, and threats. Rule 5 is thus an important rule that is further infused in subsequent years.

Ultimately, infused net-widening can eventually become so embedded within the code of student conduct that it warrants its own official rule, essentially producing a net-neutralizing reorganization of rules. Such is the case with rules such as the mandate of academic honesty, misuse of computer privileges, and prohibition of threats. Each of the prohibitions is present in early codes of student conduct but do not become official (often scaled back) rules until the COSC 2004-05 is released. Still some rules, such as the prohibition of threats, are raised to official rules but remain infused into numerous rules throughout the code of student conduct.

To conclude, I wish to reiterate that the concepts presented in the beginning of the chapter should not be applied independently of one another. Net-widening must be

understood as a set of analytical concepts that seeks to understand a very complex process of policy creation and modification. Failing to grasp the interconnectedness would prove a great disservice to the crux of this work. It is with issues of both clarity and complexity in mind that we turn to the next set of research findings: those that explicate the net-deepening of the school discipline net.

CHAPTER SIX

NET-DEEPENING: UNDERSTANDING CHANGES TO CORRECTIVE ACTIONS

Introduction

Net-deepening of the school discipline net refers to establishing increasingly severe responses to rule and infraction violations. Net-deepening results when a school or district changes school discipline policies by establishing new procedures, personnel, and places designed to manage school discipline and modify student behavior. Students learning in districts and schools with deeper discipline nets are more likely to be punished through means that place students on trajectories that are further removed from a mainstream educational experience. Additionally, deeper discipline nets are structured in ways that make getting out of trouble relatively more difficult for a student. A student who commits a rule violation in a district with a deep discipline net will be punished more severely and have a more difficult time getting out of trouble than is the case for a student who commits the same violation while attending school in a district with a shallow discipline net. This chapter explores how the net-deepening process has changed the school discipline net in an urban school district.

Net-deepening findings compliment the net-widening findings by providing another layer of analysis to understanding how the school discipline net has changed over time. Policy changes that produce net-widening and net-deepening result in the likelihood that a student will not only be more likely to get into trouble, but that the consequences he or she is subjected to will be increasingly difficult to overcome. Because the spaces in which students are quarantined remove students from the traditional school environment, students who are in trouble are more likely to encounter unfamiliar adults (less likely to

have a personal relationship with them) responsible for overseeing their punishment. Moreover, farther removed disciplinary personnel are from the educational process, the less likely the adults may be to conceptualize discipline from the teaching and learning (socialization) perspective.

Net-deepening is important to understand because it re-articulates the common discussion of student criminalization by focusing on how school policy changes have undergirded the re-conceptualizations of student behavior. The re-conceptualizations have gradually recast particular misbehaviors as more severe over time. As a result more types of misbehavior are considered criminal in nature. But criminal notions of certain acts (as opposed to behaviors) of violence in schools have long existed. It is important to understand how policy changes facilitate the process of shifting stakeholders' perceptions in ways that criminalize behaviors and tendencies by confounding acts with ascribed characteristics.

In addition, net-deepening especially allows changes to low level misbehaviors to be investigated – especially acts of everyday school misbehaviors, such as threats and offensive language. Today's officially sanctioned responses to low level offenses are rarely viewed as criminal in nature; yet the sanctions still pose a greater threat of adversely affecting the educational experiences of urban students than in the past and run the risk of suggesting a typology for identifying criminal tendencies amongst low level rule breakers.

Charting the progression of consequences to rule violations in terms of net-deepening provides us with insights about how urban school districts have arrived at the current set of disciplinary consequences. This research documents the establishment of

corrective actions and accompanying practices that foster the potential of the net-deepening effect. Swiftens of punishment, certainty of punishment, severity of punishment, and type of punishment are all important variables to substantiating net-deepening of the school discipline net. This chapter reports on the latter two variables and draws inferences, contextualized by the informant interviews, about how the discipline net has deepened.

The changes in the codes of student conduct described in this section coincide with the years described in the section on net-widening: COSC 1992-93, COSC 1999-00, COSC 2002-03, COSC 2003-04, and COSC 2004-05. The first half of this chapter is dedicated to an analytical and conceptual discussion of concepts related to net-deepening. The second half of the chapter uses the findings to describe how the school district codes of student conduct reflect the likelihood that students' punishment experiences have become more severe in the era of zero tolerance.

Net-deepening and Related Concepts

Analysis of codes of student conduct reveals that the likelihood that students will be punished severely increased from 1992 to 2004, reflecting the net-deepening of the school discipline net. The analysis reveals several ways that school discipline policy changes net-deepen including three distinct addition methods of net-deepening, two elimination methods of net deepening, and reordering methods of net-deepening. An oppositional effect, net-shallowing, also emerged during analysis. Like net-widening concepts, the ideas presented are essentially descriptions of what happened between rules from one year to another, from one COSC to another. The important aspects of concepts

and accompanying figures show two points in time – a before and after – with an explanation of what changes occurred in between the beginning point and outcome.

Violation levels, rule order, and corrective action severity are important aspects of net-deepening policy changes. As described in the research methods chapter, the level of corrective action contained in the codes of student conduct coincide with the perceived severity of a rule violation. The three violation levels, their rules and corrective actions are listed from least to most severe. Likewise, the corrective actions are ordered from least to most severe. Suggestions such as “discuss incident with student” precede “assign student to detention” which precedes more severe disciplinary responses such as “suspend student for from one to five days” and “recommend for expulsion.”

Two additional caveats are required before the net-deepening concepts are presented in greater detail. First, corrective actions do not have to be, and are often not singly issued. Multiple corrective actions can be issued for one rule violation just as one act of student misbehavior may be reported as multiple rule violations. The second stipulation of the following presentation is that, unless noted otherwise, it presumes that rules contained within the code of conduct are constant. Lastly, net-deepening requires a familiarity with practitioner procedures and biases that can manipulate the intent of corrective actions. As such, net-deepening changes depend heavily on how implementation is carried out. Therefore, each concept creates possibilities and likelihoods for exercising discipline in different manners rather than simple changes.

The mission and purpose of each code of student conduct is the official statement that sets the tone of the code of conduct, the central authoritative document of the school district. According to COSC 2004-05, the purpose of the code of conduct is to support the

creation of a safe learning environment and to clearly state the district's standards for acceptable conduct of students. The code also explains the consequences of not meeting the standard of conduct set forth and establishes a zero tolerance policy for conduct that endangers the safety of the school and disrupts the educational experience of other students. Earlier codes of conduct contain different mission statements: most notably, earlier codes establish a common sense approach to school discipline. The mission and purpose provide an entrée into our more nuanced discussion of net-widening and net-deepening.

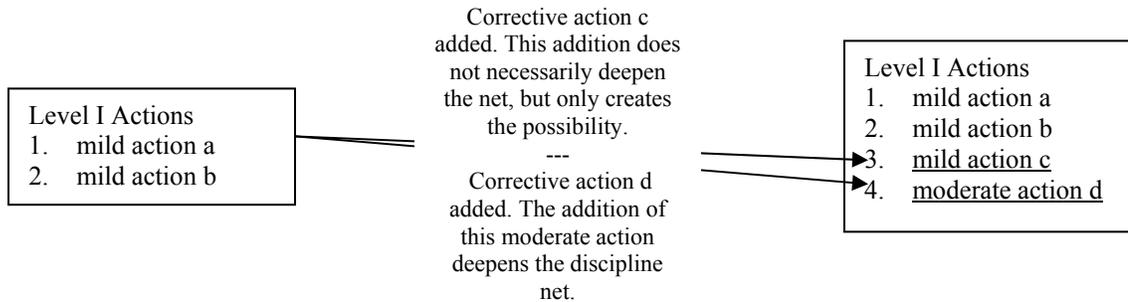
Addition Methods of Net-deepening

Addition methods of net-deepening include corrective action additions, rule enforcement personnel and agency additions, and rule enforcement procedures and protocol additions. Addition methods of net-deepening offer the most seemingly obvious examples of net-deepening; however, the additions must contribute to more harmful disciplinary experiences for students to constitute net-deepening. The ability to determine whether particular additions cause more harm or less harm is beyond the scope of this research. This is true for all findings of the content analysis. The findings, instead, create the possibility, likelihood, or probability that particular outcomes will result based on the affordances of different policy guidelines outlined in the codes of student conduct, and are described and discussed as such.

Figure 6-1 illustrates an addition method of net-deepening. The Level I corrective actions are both mild. Over time, the addition of another mild corrective action and a moderate corrective action supplement the pre-existing corrective actions. The same is

true for personnel and their respective agencies and procedures and protocols. But before we examine these, we will take a look at the addition of corrective actions.

Figure 6-1. Addition Method of Net-deepening



Corrective action additions

The two changes depicted essentially give disciplinary agents more ways to sanction students who misbehave but do not automatically deepen the discipline net. Let us examine the addition of the mild action c, pictured in Figure 6-1 as an example of how different possibilities, including net-deepening, emerge as a result of the addition method. Before the addition of mild action c, Level I contains only two corrective actions. After the policy is modified to include an additional corrective action, the policy creates a different set of possibilities for how disciplinary policies can be applied to addressing student misbehavior.

In the first instance, a student may be issued a punishment involving corrective action a., corrective action b., or both corrective actions a. and b. In the second instance, a student can be issued one of three corrective actions or combinations of a. and b., a. and c., or b. and c. Any of the combinations would be comparable to the earlier punishment possibilities given that the additions are all relatively low level (mild) corrective actions,

and therefore these combinations would not deepen the discipline net. But other possibilities do exist.

A student could be punished more severely if one of three decisions were exercised as a result of the change depicted in Figure 6-1. First, the student could be issued more than two sanctions. For example, instead of being issued corrective actions a. and b., the student could face consequences a., b., and c. In this manner, the addition of new corrective actions stockpile potential consequences, placing an additional burden of responsibility on students to get themselves out of trouble. The change can create a more troubling disciplinary experience if it contributes to the piling up of sanctions (Blomberg, 2003).

The piling on of sanctions refers to the phenomenon of issuing an overload of punishment so that a student is unlikely to meet the requirements of getting out of trouble once in trouble. The addition of sanctions can be understood as a piling up of sanctions that produces the possibility that the sanctions will be piled onto a misbehaving student. For example, requiring a truant student to attend after school detention and a Saturday school program are likely to be unsuccessful if regular school attendance is *the* issue for which the student is being punished. Too many corrective actions, however mild, make overcoming the disciplinary experience more difficult. Therefore, if four corrective actions are issued as opposed to two, then the student will experience a deeper discipline net. Whether or not such occurs involves the presence or lack thereof of rule enforcement personnel and procedures.

Rule enforcement personnel / agency additions (places)

Many of the additions located within the code of student conduct corrective actions section involve programs and/or counseling requirements. As is the case with the addition of corrective actions, the addition of rule enforcement personnel produce net-deepening if students are placed into disciplinary environments with rule enforcement personnel that fail to help students make successful transitions back into high quality and academic-oriented educational environments. With the era of zero tolerance's focus on removal as a form of punishment, understanding the importance of disciplinary spaces, places, and personnel is crucial to knowing the depth of the discipline net.

The wider and deeper the system of discipline in a given school district, the more likely the student is to be placed in the school-to-prison pipeline. At the bottom of the discipline net rests law enforcement personnel and prison-like environments that serve as 'alternative' placements for students. At the upper rim (and in the shallow space below the rim) of the discipline net are where peers, teachers, administrators, and parents are located. These spaces occupied by these actors include classrooms, homeroom, the principal's office and other spaces familiar to the students and inhabited by familiar adults constitute spaces where mild corrective actions are carried out (and where many disciplinary moments occur or begin). These are also spaces where deliberations over corrective actions have traditionally occurred. In between these two conceptual spaces lies the burgeoning space occupied by an array of student behavioral support services. This tenuous area is filled with school-based and community-based agencies, new professionals, (school counselors, school psychologists, etc.) and service workers (e.g. lunch room aides) whose primary job is managing and modifying student behavior.

Within the corrective action descriptions, suggestions for who should be responsible for disciplining students can be located. In a similar fashion to the examples provided in Figure 6-1, mild, moderate, and severe disciplinary spaces and personnel provides insights into how discipline policy changes create the likelihood that students will be relegated to one of the spaces. Over time, if relatively more moderate and severe spaces and personnel are added to the corrective actions, while conduct rules remain unchanged, it signals a deepening of the school discipline net.

Direct examples of descriptions range from suggestions such as arrange “meeting between the student and the counselor or small learning community coordinator,” “refer the student to an appropriate counseling program within the School District or in a community mental health program,” and “meet with student and parent.” The variation in the examples illustrates the differences in spaces and disciplinary agents reflected in the codes of students conduct.

Over time, corrective actions are reframed to two distinct sets of disciplinary responses: *interventions and sanctions*. The changes offer insights into how corrective actions are conceptualized. Interventions are framed as a means of ensuring the student gets ample supports and time to correct their behaviors before being punished. For example, the COSC 2002-03 contains corrective actions “meeting between the student and the counselor or small learning community coordinator (C.A. c.)” and “supervised mediation between students (C.A. h.)” suggests that the responses are meant to be non-punitive interventions rather than sanctions, such as detention, suspension, or disciplinary transfers. Surely, this move is a reaction to criticisms that school punishments are overly punitive. The distinctions, while well-intentioned, prove potentially problematic when

considered holistically with other changes such as the documentation processes and spaces that accompany interventionist corrective actions.

Procedures, documentation, and surveillance additions

Documentation, rule enforcement mandates, and procedures are contained within the code of student conduct. Certain disciplinary responses require forms, referrals, and/or procedures to be carried out. For example, over time CSAP documentation becomes an important aspect of carrying out discipline. The CSAP process records behaviors and attempts to correct behaviors over the school career and is required before a student can be issued punishments that are considered the most punitive, including suspensions, transfers, and expulsions. These requirements do not have to contribute to net-deepening. Whether they do or do not rests largely upon how the mandates are used in practice.

Procedural changes, documentation requirements and reporting, and increased surveillance of students are designed with the intent of accomplishing two goals. One objective is to ensure that a student who misbehaves receives proper support and due process before being issued a punishment that upsets their schooling experience. Another objective, and one that is related to due process, is to ensure that the school district has developed a sufficient case to punish (through removal) a student who is disruptive to the learning environment.

The problem is that the schools enhanced ability (and mandate) to develop cases, monitor students closely, and gaze upon the study body, in an effort to maintain order and safety targets and documents low level offenses that otherwise would go unnoticed or would have been treated as normal everyday school behavior in previous years. In this

way, the new policies do not only create the possibility for discipline cases to be developed, but also encourage case identification. Together, administrators mandated to look for cases to develop are caught in a conundrum where their professional judgment may run counter to the expectations of the school discipline policies.

Elimination Methods of Net-deepening

Elimination methods of net-deepening shift the probability of students being punished less severely to more severely by removing moderate and mild disciplinary prerequisites to more punitive disciplinary actions. The content analysis identified such changes within violations and among violation levels.

Corrective action eliminations

Figure 6-2 provides a visual representation of how corrective action can be eliminated to produce a more punitive discipline net within one violation level. Of an initial six possible disciplinary responses, two mild and one moderate action are deleted, leaving one moderate and two severe actions, as pictured below. Within levels, the change is relatively easy to identify. A rule exists that is a low level disciplinary response. Over time, the low level responses are removed, making the more severe corrective actions the plausible steps.

Figure 6-2. Corrective Action Elimination Method of Net-deepening

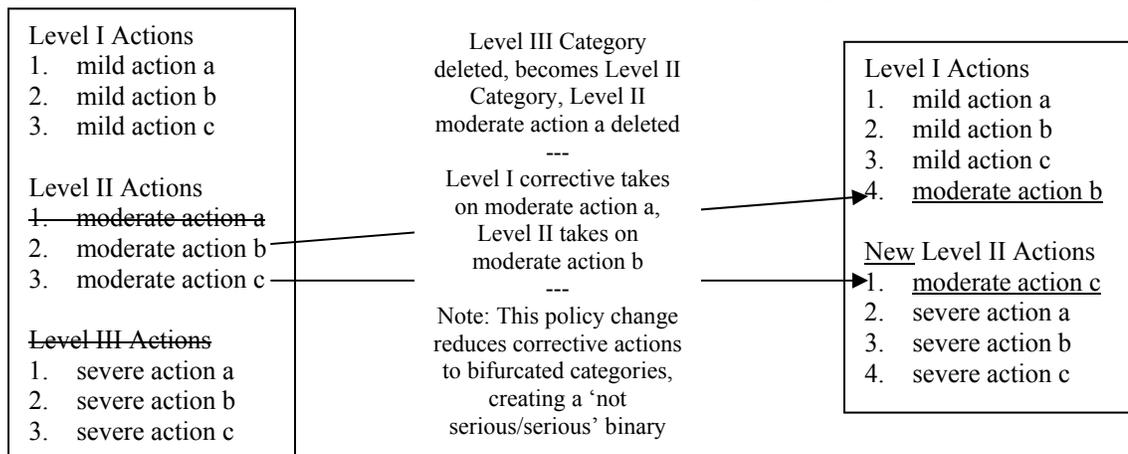


Violation level elimination

A more dramatic policy modification within the codes of student conduct is the elimination of a violation level. The process essentially re-organizes the code of student conduct into two rather than three tiers of misbehavior. Such a process reflects an attempt to do away with ambiguity concerning what constitutes mild, moderate, or serious acts of misbehavior. It produces the good bad binary that is characteristic of other New Right school reform efforts and emblematic of neo-conservatism in general.

Figure 6-3 shows how such elimination can restructure the school discipline net.

Figure 6-3. Violation Level Elimination Method of Net-deepening



On the surface, it appears that Level III violations, the most severe have been deleted. But level III violations have been re-labeled as Level II violations. The change does not result in the simple deletion of all rules that mitigated low level and high level violations. Rather, each of the two respective levels takes on moderate corrective actions. For the lowest level of corrective actions, the change results in the possibility that net-deepening or the piling on of sanctions can occur. As illustrated in Figure 6-3, the New Level II contains a relatively less serious corrective action, moderate action c., but maintains the same number of severe violations.

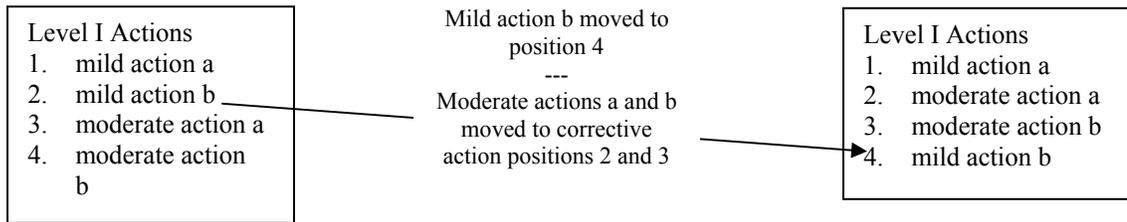
The important feature of this sort of change is the re-labeling effect it has on misbehavior. Re-labeled as such, misbehavior is re-conceptualized either as mild or severe. Less room exists within such a streamlined policy structure to imagine a conceptual space between everyday forms of misconduct and serious acts of misconduct where misbehavior can fall into a moderate category. Moderate actions officially cease to exist. The structure poses a dilemma for students who commit misbehaviors that constitute *New Level II* violations.

New Level II violations, protocols, spaces, and disciplinary agents remain aligned with the old Level III characteristics. In other words, while Level III ceases to exist by name, the characteristics remain. Hence a New Level II violation becomes as detrimental on student records as a previous Level III violation. In essence, the elimination and corresponding name change masks the severity of the corrective actions while ensuring that little distinction will be made between less serious and more serious acts of misbehavior.

Re-ordering Method of Net-deepening (and 'Can be Raised' Clauses)

Reordering corrective actions is similar to the elimination of the Level III violations in that the reordering suggests that responses to certain disciplinary infractions are more appropriate than others. Without modifying the rule number (order), the reordering method of net-deepening can implicate a type of misbehavior to a more severe response. In all codes of student conduct, corrective actions are listed in a suggested order of issuance. In Figure 6-4, the order of suggested corrective actions is modified to place two moderate responses before a mild action.

Figure 6-4. Re-ordering Method of Net-deepening



A concrete example of such changes involves the ongoing relocation of “assign student detention.” In some years, detention is positioned as response number six. Detention may move from position six to position two in a subsequent year. When this happens, it signals that detention is a more appropriate immediate consequence suggesting the same disciplinary infraction is viewed as more severe and need of more immediate punitive correction. With an across level reordering, the modification of the corrective action moves the response outside of the violation level in which previously contained it. For example, if two violation levels exist and a corrective action such as “recommend student for CSAP Tier II evaluation” moves from a Level I to Level II, the severity of the corrective action can be considered to have been altered. The recommendation is, as a result of its relocation, to be understood as a more serious corrective action.

Finally, noted throughout the code of student conduct are rules and corrective actions that indicate that the punishment issued can be raised if a disciplinarian feels compelled to do so. In these cases, a rule violation such as a threat can be raised to a harassment violation. Increasing the number of rules that can be raised signals the increased severity of punishments. But, as is discussed in the following section, all changes to corrective actions do not deepen the discipline net.

Net-shallowing and Limits to Corrective Actions

Net-shallowing refers to changes in punishment policies that create the likelihood that disciplinary practices will be less severe. Shallowing is the opposite of net-deepening. A district with a shallow discipline net possesses corrective actions, punishment practices, spaces, and procedures that make it easier for students to get out of trouble and re-enter educational environments that provide high quality social and academic learning opportunities. The possibility for net-shallowing can be established through subtractions of relatively more severe corrective actions and practices. Also, when the reordering constructs a less punitive series of responses, then net-shallowing may occur. Conceptually, further possibilities undiscovered in the codes of student conduct are also possible, such as creating/re-establishing a three tiered system.

Limits to corrective actions are related to net-shallowing. Limits to corrective actions refer to the presence of clearly articulated limits to how students can be punished for violating certain rules. Multiple rules with limits are contained in the code of student conduct. Among rules for which students cannot be suspended are violations of dress code, tardiness, and truancy. In these cases, students can only be issued intervention-based corrective actions.

Applying the Concepts: Net-deepening from 1992 to 2004

The concepts explored in the previous section provide ways that net-deepening of the discipline net can be understood. As explained in the previous chapter and as will be illustrated in this section, the concepts act mutually to reinforce, challenge, and neutralize one another. It is important that they be conceptualized holistically in this manner; because the previous chapter addresses this issue, it is unnecessary to rehash the previous

statement on the interrelatedness of the concepts when applied to thinking about how the discipline net has been modified. The point here is to simply reiterate the importance of considering how the concepts interact. We now turn to a detailed overview of major changes to the corrective actions as reflected in codes of student conduct.

1992-93 School Year Corrective Actions

Early codes of student conduct provide uniform responses (what are referred to in 1992-93 as corrective actions) to misbehavior based on violation level rather than the specific rule that a student breaks. Any rule that is considered a Level I violation warrants the same disciplinary response. The same holds for Level II and Level III violations. In 1992, Level I Corrective Actions range from loss of privileges, including extra curricular and athletic participation (Level I C.A. a., COSC 1992-93), to suspension for from one to five days (Level I C.A. j., COSC 1992-93). Responses within these two extremes include student reporting to principal, temporary assignment to restrictive class setting, and reassignment to another class. Rules that comprise such disciplinary responses include Rule 1: Disruption of School, Rules 3 and 4: Prohibitions of Destruction / Theft of Property, and Prohibition of the Offensive Language, rule 5, among others.

If violated, Level II rules require more severe disciplinary responses than Level I violations. These include a. transfer to another school; b. referral to alternative placement center for diagnostic services; c. placement in a remedial disciplinary school; and d. expulsion where student is already in a disciplinary school (Level II C.A., COSC 1992-93). Simple assault falls into this category. Continuing the correlation of high rule order and violation level, the highest level of rule violations, level III warrants the most severe

responses. The two options for Level III violations recommend the disciplinarian remove the student permanently from the traditional learning environment.

Amongst the rules examined in this analysis, in the COSC 1992-93, only harassment and aggravated assault warrant the Level III consequences that transfer the student to a disciplinary school or expel the violating student from the School District of Philadelphia. In 1992, detention and suspension can result if a student violates any Level I rule. Detention, listed as Level I corrective action f. falls in the middle of the acceptable actions for rule violations. In this sense it is a typical punishment in that within the context of low level offenses, it is neither too lenient nor too severe. Suspension, on the other hand is the most severe reaction to a Level I offense violation.

Suspension can range from one to five days depending on how the disciplinary agent views the severity of the violation. After detention, all responses leading up to suspension involve some form of temporary removal or referral to tangential corrective programs. This demonstrates that after one or more detentions have been issued, the likelihood of the student being removed from the traditional learning environment as a form of punishment increases. With these issues in mind, we move forward with our examination of changes in corrective actions to rule violations as reflected in codes of student conduct.

Net-deepening Changes From 1992 to 1999

From 1992 to 1999, changes in the COSC reflect the net-deepening tendency of consequence refinement. Generally, however, responses to rule violations undergo minor changes from 1992 to 1999. Despite the general dearth of major changes, a few notable occurrences prove worthy of detailed presentation. First, I present commonly expected

instances of net-deepening. I then present a major annotation added to the Prohibition of Aggravated Assault consequence that has strong bearing on the changing nature of the school discipline policy. I then proceed to illustrate, using the prohibition of harassment, the way that rearrangement of rule ordering and violation levels produce changes in the severity of consequences. Finally, I highlight the rule violations that warrant detention and subsequent quarantining of students –suspension, transfer, and expulsion - from the traditional school setting.

Addition methods of net-deepening

Expected instances of net-deepening occur in the Level I set of corrective actions and Level III corrective actions. Level I corrective actions are expanded from a total of ten to twelve responses to rule violations. One addition is the Level I, Corrective Action k. “referral to substance abuse program or counselor (SAP team, which is called CSAP in later years).” The addition net-deepens by introducing new personnel, surveillance, and programming to manage student behaviors. This consequence falls in line behind response j. that issues suspension for from one to five days. The fact that the new rule is placed after COSC 1992’s final Level I response (suspension) suggests one of two things: that referral to the SAP team is reserved for students who have moved to a deeper level of the discipline net than in previous years or that the additional consequence was haphazardly placed at the end of the pre-existing list of corrective actions. The simple placement is a plausible likelihood considering the addendum net-widening practices revealed through the analysis of rule changes. Most of these sorts of additions are later re-worked into the codes of student conduct in more purposefully strategic ways.

The second Level I, Corrective Action 1. suspension from bus services offers a glimpse into the over simplicity of understanding additions to consequences at face value. Although the second addition (response 1. suspension from bus services) appears as net-deepening, the change must be understood in relation to net-widening because the change reflects an increased scope of school discipline. Consequently, the rule requires a more far reaching consequence, but not necessarily a more severe consequence. This illustrates an interaction of net-widening and net-deepening. If a student is suspended from bus services, which is an issue of scope, it creates a possible transportation issue which may lead to additional infractions. More instances such as this will be addressed when the interaction of net-widening net-deepening is presented.

In addition to the Level I corrective actions added to the pre-existing list found in the COSC 1992-93, additional specificity appears in corrective action a. loss of privileges. In the COSC 1992-93, the corrective action reads “a. loss of privileges, including extra curricular and athletic participation” (Level I C.A. a., COSC 1992-93). In COSC 1999, the same corrective action is described as “loss of privileges, including, but not limited to, graduation ceremonies, class trips, dances, and other extra-curricular activities such as athletic participation, and suspension or revocation of network user accounts.” The new additions to the infraction include loss of privileges that directly and indirectly bear on the educational and academic opportunities of students. The likelihood that students will be excluded from graduation, a mark of academic achievement, class trips, which are typically carried out to enhance classroom learning, and the barring from network or computer access all implicate an infringement on academic-related

experiences in contrast to the earlier loss of only social and athletic aspects of the school experience.

Formal law enforcement relations develop

The change in Level III corrective action involves two modifications. First, a new subcategory is added. Second, an addendum is inserted into the code of student conduct corrective action section highlighting the 1995 provision of Act 26 that requires mandatory expulsion for weapons possession. The two changes are related. In addition to transferring of students to disciplinary schools and expulsion from the school district of Philadelphia an Aggravated assault, Level III corrective action c., may result in the referral to law enforcement authorities. To be clear, students could be referred to law enforcement in years prior to 1999; however, within the codes of conduct considered in this analysis, such a provision was not stated before this year in the code of student conduct sections.

In the COSC 1992-93, such provisions are relegated to a section called Crimes Affecting the School District. While not entirely different, and although students could commit criminal acts, the matter is treated as a unique situation contextualized by extreme conduct and circumstances that fall outside of the code of student conduct proper: “where the juvenile possesses a weapon or commits a felony while on probation, a placement will likewise be requested ... in cases of unusual aggravating or mitigating circumstances, the Law Department will be consulted” (COSC 1992-93). The document does not indicate what is meant by placement but is cautious in its willingness to confer as necessary with outside agencies. Contrarily, the COSC 1999 makes it clear that placement is not a priority in such cases as it appears to be in 1992. Rather, removing the

wrongdoer from the educational environment, not pressing for law enforcement involvement, takes precedence.

By 1999, the code of student conduct reflects a clear commitment to both removal and to the use of law enforcement for Level III violations deemed serious in nature (most violations at the level are viewed as such; otherwise they would not be level III violations). The corrective action is a result of federal legislation (see literature review) set into motion by the 1994 Gun Free Schools Act. The COSC 1999-00 reflects the June 1995 amending of Act 26 requiring all school districts and organizations to expel for a period of not less than one year any student found to have brought a weapon to school or any school related site or function (see Level III C.A. note). The Act 26 revision continues on to define what is meant by weapon, an issue discussed in the review of the literature.

In addition to mandatory expulsion, the corrective action when considered in the context of the Act 26 revision opens up space for encroachment of law enforcement onto the decision making of school administrators and officials. The Act mandates that administrators contact the police whenever a weapon is discovered and more importantly strips administrators of their discretion to make decision regarding expulsion: “The Act 26 requires school officials to notify the police whenever they discover a weapon covered by the Act. The Act also strips principals and intermediate level administrators of any discretionary authority for referring students of all ages for expulsion” (Level III C.A. note, COSC 1999) although the superintendent does maintain this authority to review appeals and recommendations for alternative placements. The addition of Level III corrective action c. becomes clear in the context of these changes.

The net-shallowing effect

Even though 1999 marks an important year that sets into motion net-deepening of the school discipline net, one change evidenced in the consequence to prohibition of harassment provides an example of the potential shallowing effect of discipline policy changes. The shallowing of the discipline net refers to policy changes that have the opposite effect of net-deepening, which is that shallowing changes re-organize the discipline policy in ways that produce the likelihood that a student who violates a school rule will be punished less severely. Harassment, if the description of prohibition is held constant from 1992 to 1999, offers one example of the shallowing effect.

In COSC 1992-93, harassment was listed as a Level III violation. The consequences of violating the rule resulted in either a. transfer to a disciplinary school or b. expulsion from the School District of Philadelphia. In 1999, the consequences of violating the prohibition of harassment are

- a. transfer to another school,
- b. referral to alternative placement center for diagnostic services,
- c. placement in remedial disciplinary school where student has been previously transferred from another school under this section, and
- d. expulsion where student is already in a disciplinary school (Level II C.A., COSC 1999-00).

In 1999, a student violating the harassment rule would have to misbehave more to be placed in a disciplinary school or to be expelled from the school district in comparison with 1992. The new set of responses occurs because harassment was reduced from a Level III violation to Level II violation, warranting a different, less punitive set of corrective actions. Initially Rule 13, the prohibition was re-ordered as Rule 10, placing it into the Level II violation range.

The re-ordering of rules has a strong bearing on how particular offenses are treated. While harassment offers an example of re-ordering down, the Prohibition of Simple Assault is raised in COSC 1999-00 to Rule 12, up from rule 10 in COSC 1992-93. This move keeps simple assault inside of the Level II category. Three distinct levels of violations provides room for policy makers to shift rules and corresponding consequences in ways that define different levels of seriousness, a policy structure that becomes further bifurcated over time. To remedy the eventual ineffectiveness of examining violation levels alone, comprehending how single corrective actions such as detention, suspension, expulsion, and transfers shift around over time may prove useful to unmasking seemingly ambiguous subjectivities about how particular violations may be understood in regard to seriousness.

Between 1992 and 1999, detention remains listed as a mid-level corrective action for a Level I violation. Suspension for from one to five days is no longer the final consequence under Level I corrective actions. Referral for substance abuse (SAP team) and suspension from bus services are placed after suspension; however, it is unclear if this addition was made to end of the previous list for sake of expediency or ease or if each were placed intentionally to signal the severity of the response. Transfers to another school and transfers to a disciplinary school remain options for Level II and Level III violations, albeit at different levels of the suggested corrective action hierarchy. Transfers to comparable schools are considered ‘lateral transfers’ and do not carry the stigma of a transfer to a disciplinary school. In disciplinary schools, the environment is not aligned with academic goals of mainstream schools.

The changes in corrective actions from 1992 to 1999, while slight, illustrate the net-deepening effect of school discipline policy creation. This COSC 1999-00 provides examples of changes that need to be understood across all subsequent codes of student conduct. The addition of the note on Act 26 is particularly noteworthy since it signals a clear break from school discipline as a matter to be managed by principals and intermediate administrators. It also shifts the discretionary authority of major acts of misbehavior and matters of concerning weapons (ambiguously defined) to law enforcement officials, codifying formal conjoining of law enforcement and schools as appropriate agencies and personnel to manage student behaviors.

Net-deepening Changes From 1999 to 2002

Based on a comparison of COSC 1999-00 several indications of net-deepening are reflected in the COSC 2002-03. Net-deepening instances include new corrective actions in response to rule violations, rule enforcement procedures (e.g. referral to agencies, surveillance procedures), an expansion of services and programs to correct and deter poor behavior, and finally the addition of new rule enforcement agents to carry out these new attempts to enforce discipline. Several notable policy changes occur from 1999 to 2002. Additions are made to the level I violations, expanding the total possible responses from 12 in COSC 1999-00 to 18 total in COSC 2002-03. Perhaps the most striking change reflected in COSC 2002-03 is that the policy shifts from using a three-tier violation level structure to a two-tier violation level structure.

Although net-deepening instances are numerous, many of the corrective actions listed in the COSC 2002-03 suggest a renewed commitment to holding students within the educational system. This contrasts with the 1999 priorities which reflect an adherence

to swift removal as a viable corrective action. Of the data presented in the final analysis, programs and discipline management agents and agencies are mentioned for the first time in the COSC 2002-03. Requirements for documentation of incidents are featured prominently within this code of conduct. In addition, the code restricts the use of certain corrective actions to second offenses. While the COSC 1999-00 states infractions in simplistic terms such as “transfer student to disciplinary school” (Level I C.A. a.), the COSC 2002-03 overtly details possible alternative educational settings where students can and should be transferred before pursuing expulsion.

Eighteen Level I corrective actions are laid out in the COSC 2002-03. Of these 18 rules, six are new and one, the suspension from privileges (Level I C.A. k.) corrective action is expanded. Some correction actions such as the first listed requiring a “meeting between the teacher and the student to discuss the student’s behavior and expectations for improving his/her behavior” (Level I C.A. a.) seem like common sense first steps for remedying discipline problems; however, this corrective action, although it may in practice be the first course of action for many teachers, is not listed in earlier codes of student conduct. This and other new additions appear to focus on creating communicative spaces and opportunities for dialogue to occur. For example, corrective actions c. and h., “meeting between the student and the counselor or small learning community coordinator” and “supervised mediation between students” suggests that non-punitive corrective measures (interventions) are viable solutions to responding to rule violations by students.

Other additions involve a reliance on adults other than teachers and small learning community leaders, pushing students away from disciplinary authorities with whom they

are more likely to be familiar. New actions, such as j., m., and r. require students meet with case workers, probation officers, attend the Saturday Morning Alternative Reach and Teach (SMART) program, and be referred to community mental health providers^{viii}.

These new programs and rule enforcement agents potentially result in net-deepening because they move students away from the traditional school spaces and hours.

Moreover, each fosters the production of work that requires discipline management as the sole responsibility defining the productivity of the worker, setting into motion the new professionalism and moral entrepreneurship that often accompany rule and policy creation.

The re-ordering of the Level I corrective action provides further evidence of deepened discipline net. Within the order of consequences, detention is lowered to the second consequence and suspension for one to five days is moved from number 10 to number 14, making room for five of the six new corrective actions. The remaining new corrective action r. “referral to a community mental health provider” rounds out the responses to Level I rule violations. Although many of the new corrective actions are framed as interventions, the reordering of detention as the second response, after which all but one of the additional corrective actions follow, is a peculiar policy decision.

Detention’s ordering in previous years suggests it was a mid-level response to level I rule violations. By 2002, detention is an initial punishment, second only to the response requiring a meeting between the student and teacher, a reasonable first option that seems awkward as an official corrective action (perhaps students not being given warnings by teachers was a common problem that this addition to the corrective action addresses). In short, by 2002, detention is of the first courses of action that trumps

measures such as sending a notice to parents and reporting student to the principal to name a few. In previous years, both of these responses were prerequisites to assigning students to detention. Despite the move making detention a more likely punishment, suspension is pushed to a further fringe than in previous years, making it a less likely punishment in the 2002 discipline system.

Suspension from one to five days was, in COSC 1999-00, the 10th level I disciplinary response, up from the 8th response in COSC 1992-93. In the 2002 school year, suspension is the 14th corrective action listed. An array of new programs replaces suspension as an earlier option. New rules mention referrals to case workers, probation officers, the SMART program and an assortment of meetings as suggested steps that should precede using suspension as a corrective measure for level I violations.

Suspension, although deferred, does not seem of less significance than in prior years, especially considering that its prominence as a key term within the corrective action discourse found within the document expands. Put differently, although a student is less likely get suspended from school, she is more likely to get *suspended* from something. Level I C.A. k. offers an example how the term suspension is newly employed as well as an example of corrective action expansion. Suspension from privileges in 2002, is more extensive than the older loss of privileges description. It includes, but does not limit students from being denied graduation ceremonies, class trips, school dances, extra-curricular activities such as athletics, club participation, and non-instructional music programs participation. In prior years, the corrective action description for loss of privileges did not contain the clause concerning music programs and participation or the reference to suspension.

While the reordering of detention and the movement and increased use of the term suspension reflect slight, but important, intra-level modifications of the district student discipline policy, the removal of the Level III category marks a profound restructuring of how the district codes of student conduct policies are written. The significance of this change is discussed in great detail in later sections. But for now, a brief description of how the removal of the Level III violations category produces a distinctly different code of student conduct by establishing a two-tier structure of rules and consequences is warranted. It is a two-tier violation structure that remains the standard through the final code of conduct (COSC 2007-08) examined for this study.

Violation levels become more “A and B”

The removal of Level III violations results in a code of student conduct where all student infractions fall into a category that suggests student behavior is either moderate or severe (see visual representation in Figure 6-3). Level III consequences are imposed on what were formally Level III and Level II rules. In the COSC 1999-00, rules one through eight make up the Level I violation category. Rules 9 through twelve constitute Level II violations. Rules 13 through 14 compose the highest violation level. In COSC 2002-03, the cut off point for Level I and misbehaviors remains rule 8. All infractions from rule 9 to rule 14 qualify as Level II violations, usurping COSC 1999-00 standards that previously defined rules 9 through twelve as less severe than rules 13 and higher. The status of Level I offenses remain unchanged although the corrective actions are expanded to produce a net-deepening effect. On the other hand, the statuses of what were previously Level II offenses become framed as more severe in nature.

Stated simply, a student who violates a level III rule in 1999 would face similar consequences as a student who violates a Level II rule in 2002. Since net-deepening is understood as the increased severity of corrective actions, this reorganization of the policy would qualify as such. All other things held equal, if over time, what were formally Level III corrective actions are used to address what were formally Level II misbehaviors, then the Level II misbehaviors are receiving more severe disciplinary responses despite having not changed. The replacement of a three-tier violation level code of student conduct with a two-tier system alone does not automatically produce net-deepening. Rather the restructuring reflected between COSC 1999-00 and COSC 2002-03 produces net-deepening because it imposes harsher corrective actions on less severe misbehaviors.

A more in depth examination of how the violation levels are reorganized in 2002 yields a more complicated illustration of how disciplinary responses can join together over time, resulting in modified, albeit similar corrective actions. Analysis of precise changes in actual descriptions of corrective actions reveals a melding of COSC 1990-00 Level II and Level III corrective actions into a more comprehensive and specific list of corrective actions in COSC 2002-03. Table 6-1 provides descriptions of corrective actions found in COSC 1999-00 and COSC 2002-03. As described in this section and as illustrated in the table, Level III corrective actions do not exist in the COSC 2002-03. Despite this omission, much of the text describing the appropriate responses for the 1999 school year appear within the descriptions contained in the COSC 2002-03.

Table 6-1. Comparison of Level II and Level III Corrective Actions, 1999 and 2002

Code of Student Conduct 1999-00	Code of Student Conduct 2002-03
<p>Level II Corrective Actions</p> <ul style="list-style-type: none"> a. transfer to another school; b. referral to alternative placement center for diagnostic services; c. placement in a remedial disciplinary school where the student has previously been transferred from another school under this section; d. expulsion where student is already in a disciplinary school [or was previously assigned to a disciplinary school, see original pdf] 	<p>Level II Corrective actions</p> <ul style="list-style-type: none"> a. Placement of the student in an alternative education such as CEP where the other required academic and attendance criteria are present. b. Placement in a School District alternative education program, including a remedial disciplinary program, or twilight program. c. In the case of violations of Rule 10 or Rule 11 in addition to A or B above, the counselor shall refer the student to an appropriate counseling program either within the School District or in a community mental health program. The counselor at the receiving school shall monitor the referral to assure the student's participation. d. Where a student has previously been assigned to a remedial disciplinary program or alternative school program, expulsion from the School District may be pursued.
<p>Level III Corrective Actions</p> <ul style="list-style-type: none"> a. Transfer of the student to a disciplinary school. (<i>moved to Level II, C.A. b, c.</i>) b. Expulsion from the School District of Philadelphia. (<i>moved to Level II, C.A. d.</i>) c. Referral to law enforcement authorities. 	<p>n/a</p>

The 2002-03 school year's Level II corrective actions reflect three specific changes. First, the least severe and most severe disciplinary responses listed in the COSC 1999-00 no longer exist. Second, the suggested placement of students is more direct, offering a list of alternatives that are less unclear than in the prior year. Finally, the

manner in which the corrective actions are described suggests that careful discretion should be exercised upon administering responses to rule violations.

The corrective actions are reduced from seven less refined responses to four relatively more comprehensive responses. Two previous responses, the first and last of the initial seven responses, no longer appear in COSC 2002-03. The 1999 Level II C.A. a. indicates that a student in violation of the code should be transferred to another school. This first and lowest level response does not appear in the COSC 2002-03. Neither does the most severe Level III response: referral to law enforcement authorities. Law enforcement, while remaining an option for severe instances of student misbehavior, does not appear as listed response.

The specificity of placements reflected in Level II responses mirrors the increased attention given to programs, personnel, and student behavior services found in 2002 Level I corrective actions. Whereas previous years simply indicate that a student should be transferred, COSC 2002-03 lists Community Education Partners (CEP), twi-light programs, and district alternative education settings as appropriate placements for students in violation of the code. Furthermore, the mentioning of new personnel and services, such as a community mental health program, contrasts with older corrective actions that make no such citations. These additions suggest either the creation of or expected increased use of non-traditional educational sites, a signal that net-deepening is occurring.

The final and most ambiguous change in corrective actions across 1999 and 2002 is found in the tenor of the descriptions. The absence of mandates such as “referral to law enforcement authorities” along with suggestive rather than authoritative phrases

complicates the notion that net-deepening is an objectively straightforward phenomenon. So too does the presence of agents and agencies that are typically understood as caring personnel responsible for intervention efforts rather than enforcement agents concerned with punishing students.

The softening tone of the code

COSC 2002-03 indicates that upon referral for counseling or mental health services “the counselor at the receiving school shall monitor the referral to assure the student's participation.” Such additions soften the tone of the code of student conduct by suggesting the discipline process should be concerned with promoting mental health and rehabilitative processes for the student, although the mandate for monitoring student is likely for purposes that are not necessarily altruistic: surveillance, due process, or to protect the district in the case of litigation. Moreover, these newly added priorities may serve to pile on sanctions, an issue discussed in the conclusion of this section.

Another example, even more subtle, illustrates the importance of how tone goes far in characterizing school discipline policy. The simple, yet significant addition of instructions reading “where a student has previously been assigned to a remedial disciplinary program or alternative school program, expulsion from the School District may be pursued (Level I C.A. d., COSC 2002-03) contrasts sharply with corrective action written as “expulsion where a student is already in a disciplinary school...,” also level II corrective action d., but as written in COSC 1999-00. The first phrasing, with its more subject word usage, presents a more caring version of the rule than in prior years.

Documenting misbehaviors

A last notable difference in COSC 2002-03 is the noted expectation that all Level II violations be documented thoroughly. The note following the list of Level II corrective actions contained the following message: “All referrals on Level II offenses shall include an EH-21, and copies of the Incident Follow-up Report (EH-31), current grades and attendance, all prior disciplinary records (EH-20s) in the student’s and a Behavior Performance Review.” The appearance of a passage describing the required documentation of student misbehavior may signal net-deepening. Increased surveillance in combination with the increase in programs and personnel found in COSC 2002-03 reveals the presence of a system of data collection about student behavior that can work for or against the student. Considering the types of documents collected (and the insights gleaned from key informant interviews), the surveillance practices and documentation of student misbehavior probably does the latter. This and the various other changes describe net-deepening as reflected over the years between 1999 and 2002.

Net-deepening Changes From 2002 to 2003

In comparison with net-deepening of previous time spans examined, few school discipline policy changes are reflected from the 2002 to 2003. The three noteworthy changes are relatively simple and offer an example of changes that are neutralizing in nature, neither producing an overly more punitive system nor producing the shallowing effect as found across the earlier codes of student conduct. The COSC 2003-04 contains a re-ordered set of corrective actions for Level I, organized into two separate sets of disciplinary responses, one set which constitutes infractions and another set that constitutes sanctions. Level II corrective actions are stripped down to be more pointed

and straightforward, reminiscent of the rule descriptions found in COSC 1999-00 and distinctly different from the COSC 2002-03.

Level I corrective actions are re-arranged in the COSC 2003-04. Four corrective actions were moved lower on the list. And four corrective actions were moved up. This rearrangement reflects a newly added distinction between interventions and sanctions. In the new code of student conduct corrective actions “a” through “n” are considered interventions and corrective actions “o” through “r” are considered sanctions. Early responses are ordered so that students are required to meet with various school discipline personnel within the school environment but that by corrective action j. require students to meet with interventionists beyond school jurisdiction. These rules are found in corrective actions “a.” through “j.”

Some rules are re-ordered to fall into the category of intervention or sanction. The corrective actions that are placed earlier on the corrective action list are the various responses that require referral to agencies and programs. For example, C.A. k. “assignment to SMART program” was previously C.A. m. Referral to community mental health provider was corrective action “n” in COSC 2003-04 was the final (ie. Most severe) corrective action listed in 2002-03. The corrective actions that are moved to a higher position include those that issue suspension, including assignment to another class, suspension from one to five days, suspension from the bus, and suspension from privileges. Suspension from privileges was originally a first response for infractions, low on the list of what then would have been interventions, but is amongst the list of sanctions in COSC 2003-04. This and the other corrective actions that were moved higher up the order of the list constitute sanctions.

Deepening through deletion and a return to harsh tone

Another significant change in the COSC 2003-04 is the scaling back of Level II corrective actions. The number of corrective actions is reduced from four to three. The rule referring students to mental health and counseling services no longer exists as a Level II corrective action. Level II corrective actions revert to the more straightforward, no nonsense placement of students in non-traditional educational settings. The actions, reminiscent of COSC 1999-00, reassert the “expulsion from the school district” statement and reneges on the softer tone that is present in the COSC 2002-03.

While the COSC 2003-04 does not offer strong evidence of net-deepening, the changes in tone revert to a more no-nonsense approach to correcting misbehavior. In addition, the more deliberate attempt to make distinctions between disciplinary responses intended to correct behaviors and those that seek to punish behaviors is important. Expansion in one or the other respective areas provides insights to where the discipline net is deepening from within. This analysis reveals that although the discipline net may not become more elongated as a result of policy changes, it can undergo deepening within levels, expanding or contracting the violations levels or moving unchanged corrective action levels up or down within the existing system of discipline.

Net-deepening Changes From 2003 to 2004^{ix}

The code of student conduct undergoes a significant reorganization between 2003 and 2004. Accordingly, the contents and presentation of corrective actions are modified significantly, resulting in an array of new corrective actions. The more ostentatious changes found within COSC 2004-05 include the separation of corrective actions for grades k – 4 and grades 5 – 12 and the aligning of corrective actions to suit the specific

nature of respective rule violations^x. Finally, several aspects of corrective actions found in COSC 2003-04 no longer exist in COSC 2004-05.

Slight modifications of previously established discipline policy standards are apparent in the newer code of student conduct. The stated distinction between interventions and sanctions found in COSC 2003-04 are referred to as rules and responses in 2004. The responses requiring removal of students or suspension of students generally remain high on the list of corrective actions. Likewise interventions in COSC 2002-03 remain low on the list. Level I and Level II responses diverge at rule fourteen, wherein rules fifteen and above constitute Level II offenses.

Examples of newly added corrective actions include referrals to Teen Court, the introduction of a CSAP Tier II intervention to augment CSAP Tier I interventions, in-school suspension as a possible punishment, peer mediation and conflict resolution, and low-level corrective measures such as letter writing as an apologetic gesture. These additions both net-deepen the discipline net as a whole and contribute to the deepening of Level I offenses within the discipline net.

As other instances of net-changes have done previously, changes to Level II consequences in this year complicate the argument that net-deepening is a straightforward process. In the COSC 2004-05, all Level II violations, rules 15 to 28 are responded to in one way: suspend the student and recommend for transfer/expulsion on an EH-21. Such a response is markedly different from any previous code of student conduct. It breaks away from the traditional list of corrective actions. Whereas previous codes of student conduct reflect a more or less ambiguous inclination to offer

disciplinarians the option of exploring alternative placements for students, such ambiguity ceases in the COSC 2004-05.

The re-writing of the corrective action for Level II offenses presents a unique conundrum to the analysis of school policy changes. The nonexistence of the placement options does not mean that the alternatives to expulsion no longer exist. Nor do the reductions indicate shallowing is occurring. The described change does not fit neatly into the net-deepening's operational qualifications, but it is important nonetheless for the succinctness of the statement strikes a stringent tone, suggesting swift non-negotiable action is the order of the 2004-05 school year and implicates the way the code of student conduct may be carried out.

Another important change to corrective actions in the COSC 2004-05 is the distinguishing of the disciplinary infractions and responses by grade level. Students in grades four and below receive less severe consequences for misbehavior than do students in grades five and above. The distinction between appropriate responses for k – 4 students and students in higher grades acknowledges that there is age appropriateness that should be considered when addressing student misbehavior, the first suggestion of this kind found across the codes of student conduct examined as part of this study. Table 6-2 exemplifies how the consequences of violating the prohibition of offensive language vary depending on grade level.

Table 6-2. Comparison of Prohibition of Offensive Language Corrective Actions, grades k – 4 and grades 5 -12

Rule 4: Prohibition of Offensive Language Corrective Actions grades k – 4, COSC 2004-05	Rule 4: Prohibition of Offensive Language Corrective Actions grades 5 – 12, COSC 2004-05
<ul style="list-style-type: none"> a. Discuss the incident with student Use educational/creative interventions (i.e. student writes a journal entry describing the offense and its consequences; parent signs journal entry) b. Instruct the student to make a verbal or written apology to affected community members c. Meet with student/parent and staff member d. Evaluate student for CSAP Tier I interventions e. Assign student temporarily to another class (where appropriate) f. Refer student to consultative and education specialist or other school-linked behavioral health support (where available requires parent consent) g. Suspend student from School Privileges h. Assign student permanently to another class (where appropriate) i. Assign student to SMART j. Evaluate student for CSAP Tier II interventions k. Assign student to in-School Suspension l. Suspend student (can only be utilized after the school has responded with all of the interventions listed above) 	<ul style="list-style-type: none"> a. Discuss the incident with student b. Assign student to detention c. Meet with student/parent d. Instruct student to make a written or verbal apology to the affected community member e. Evaluate student for CSAP Tier I interventions f. Assign student temporarily to different class (where appropriate) g. Refer student to Teen Court (where available) h. Assign student to community service (where available) i. Place student on daily report j. Suspend student from school privileges k. Assign student permanently to different class (where appropriate) l. Assign student to In-school Suspension m. Assign student to SMART n. Evaluate student for CSAP Tier II intervention o. Suspend student (can only be utilized after the school has responded with all of the interventions listed above, except in extreme cases. Where a student is suspended for the first offense, the student shall be referred to CSAP)

The grade-based differentiation contained within the COSC 2004-05 establishes two distinct discipline nets – one for grades K – 4 and another for grades 5 - 12. The first course of action for any student violating the prohibition of offensive language is for the

teacher to discuss the incident with the student; however, with students in grades k – 4, teachers are asked to engage the student in an educational and/or creative activity designed to help the student reflect on the inappropriateness of the using offensive language. Students in higher grades do not receive the same opportunity for reflection. The list contained in the table also illustrates the unwillingness of the school discipline system to punish k – 4 grade students with detention, again a luxury withheld from students enrolled in higher grades. Several other differences are also illustrated. Refer to Table 6-2 for a list of grade specific code of conduct corrective actions.

The result of these differences in rule ordering and types of corrective actions is that older students are less likely to receive affordances that seek to correct rather than punish behaviors. The disparity translates into a relatively more punitive discipline net for older students. For example, older students are consigned to receive the punishment of in-school suspension prior to being evaluated for CSAP Tier II interventions or referral to SMART. Younger students are afforded both CSAP evaluations and referral to SMART before being assigned to in-school suspension. While both populations can be referred for out of school suspension “after the school has responded with all the interventions mentioned above” (see Table 6-2), older students can be suspended for a first offense if the language violation is viewed as very severe. Also according to the code of student conduct, the option for immediate suspension cannot be exercised with k – 4 students.

Although seemingly a reasonable proposition, the requirement to exercise all possible alternatives prior to suspending a student may create yet another problem because such a policy change holds the potential to result in the piling up on sanctions

(Blomberg, 2003). The piling up of sanction refers to the imposition of numerous (too many) sanctions to a point where honoring the sanctions assures further violations. For example, if a student issued detention or required to attend SMART for truancy, it is likely that the student will not attend a series of mandatory SMART session, a failure that will result in further punishment. Moreover, SMART mandates that parents attend as well, extending punishment beyond the student and into the realm of family. The piling up of sanctions combined with increased surveillance poses a serious detriment to a student's ability to get out of trouble if they wish to do so.

The manner in which the re-organization of the code of student conduct considers rule specific consequences within the Level I corrective actions makes rule-by-rule exploration of net-deepening a necessity^{xi}. For example, for the first time, prohibitions against destruction/theft of property, fighting, and offensive language, all Level I offenses, warrant rule-specific corrective actions as opposed to blanket responses. To extricate the changes required to understand whether policy changes result in a deeper discipline net for the 2004 school year requires a rule-by-rule analysis which is beyond the scope of this research study. However, for illustrative purposes, I provide two brief examples. Analysis of destruction/theft of property and Prohibition of Offensive Language corrective actions provide examples of what findings might emerge and point to the tendency for either intra-level net-deepening or net-deepening to indeed have occurred from 2003 to 2004.

How and whether or not many of the newer courses of action constitute net-deepening is tenuous, but evidence of rule level net-deepening does appear. The prohibition of offensive language is a case in point. Referring back to our examination of

offensive language responses, changes within individual rules are apparent. Column two in table 6-2, lists the COSC 2004-05 rule's corrective actions for offensive language violations. Prior to 2004, students experienced a discipline process that involved school personnel as key contributors to the early discipline process more intently than in the current year. Both meeting with the student and assignment of detention remain first options in the list of corrective actions. After these two familiar responses however, the protocols diverge. Parents are to be contacted as a third option in 2004. In 2003, contacting a parent is not suggested until option five, before which the student should have conferred with the teacher, counselor, learning community coordinator, and principal. Moreover, in 2003, the suggested contact with the parent is through notification rather than meeting.

The change in decision about how, when, and in what ways parental involvement might impact a student's punishment experience and success with getting out of trouble is unclear, but the increased focus on surveillance found within the rule changes poses a clear problem as previously discussed in the literature review. The relatively early suggestion that a violating student be evaluated for CSAP Tier I interventions (listed as a 5th disciplinary option) is certainly relevant to net-deepening. This is so since the option in the previous year is 12th on the list of corrective actions and considering the CSAP evaluation process sets into motion an array of surveillance processes. In this way, students violating the prohibition of offensive language in the 2004 school year are likely to find themselves in a less amenable predicament for violation of the rule than in previous years.

Another example of rule specific changes in corrective actions is found in the Destruction/theft of property rule corrective actions. The changes to this rule are clearly aligned to the disciplinary infraction. Newly added consequences, Rule 7 C.A. b., c., and f., for breaking the rule instruct the violating student to clean up (if graffiti); write letter of apology to victim, staff person, and principal (parent signs letter); and requires restitution from the student where appropriate, respectively. Further than these three additions, other additions, such as evaluate student for CSAP Tier I interventions are found across several other rules.

Again, the mere addition of the infractions does not necessarily stretch the discipline net, but does bolster the punishment practices applicable to this specific rule. Related, the addition of corrective actions does not always serve to deepen the discipline net – cleaning graffiti is a case in point; however, if the requirement to clean graffiti is accompanied by increased surveillance, the seemingly small consequence may prove detrimental in the event of another violation. Detailed analysis of all individual Level I rules would provide an increasingly clear explanation of how the sum of these changes modify the discipline net. Further analysis may reveal that some individual rule consequences may deepen, some may remain the same, or others may shallow the net.

A final observation about COSC 2004-05 is that within Level I, many corrective actions mention that the consequence should be applied “when appropriate” and/or “where available.” The presence of the phrase when appropriate suggests that disciplinary decision makers should exercise discretion when making decisions. The phrase where available suggests that district-wide, the capability to exercise the extent of suggested corrective actions varies. This is troubling since the newly added possibility of “teen

court (where available)” is likely an option for some students and not an option for others; this is despite the expansion of CSAP into two tiers. Similar efforts to expand teen court do not seem apparent. The sorts of corrective actions made widely available then appear a matter of priority, as do the targeting of more serious acts of misbehavior.

The “where appropriate” clauses and the introduction of more low level corrective actions that could be considered interventions in Level I responses stand in contrast to the reduced and streamlined dictate that the Level II corrective action makes in 2004 (only one corrective action appears in COSC 2004-05). The reassertion, within the codes of student conduct that disciplinarians should dole out consequences using sound judgment and based on appropriateness is akin to the tone of the COSC 2002-03. The apparent concern with issuing appropriate disciplinary responses based on grade level and type of misbehavior reshapes the entire reorganization of the code of student conduct.

In understanding the tone of the entire code, the reinsertion of such relatively relaxed Level I directives must be juxtaposed against the Level II statement. The Level II directive stands a strikingly clear statement of what is to be done regardless of perceptions of appropriateness: suspend student and recommend for transfer/expulsion of EH-21. The discipline net, in 2004, is altered by policy changes in an unforeseen manner. Level I consequences offer an array of possibilities that can get students into more, less, or no more trouble than in previous years. Level II violations are dealt with according only to the rule of removal from the school environment, even for first offenses.

The result is a discipline system that responds to student level I violations based more closely on specific actions, offers more interventions, but that also increases the likelihood that misbehaving students will experience surveillance, increased duration of

time in program environments targeting misbehaving populations, and piling on of sanctions. The increased swiftness and severity of Level II violations ensures that students engaging in more serious incidents are more likely to be suspended, transferred, and expelled than in any prior years.

Final Comments on Net-deepening

From 1992 to 2004, the district's approaches to correcting misbehaviors have undergone several key changes that are summarized in this conclusion. I have described in detail the net-deepening of the school discipline net over a span of 13 years. In addition, I have identified and provided examples of policy changes that contest the notion that net-deepening is a necessary consequence of modifying corrective actions. While the tendency reflected in the codes of student conduct analyzed for this study illustrate policy changes' inclinations toward net-deepening, such is not inevitable as illustrated by numerous examples that fall short of producing a net-deepening effect.

Across the years, corrective actions have been modified so that the responses to rule violations consider appropriateness based on the type of offense and grade level. Generally, the codes reflect a trend of laxness to strictness to a balancing of the two, mitigated by the creation of a more bifurcated policy structure that renders infractions either mild or severe, doing away with the ambiguity of middle ground. Corrective actions responding to rule violations provide insights into how particular behaviors are viewed and thus responded to.

Analysis reveals a quite complex process of policy change. Many policy changes result in net-deepening. Other changes provide disconfirming evidence of the increasingly punitive nature of school discipline policy changes. These instances are

referred to as net-shallowing. In addition to changes producing net-deepening and net-shallowing, some neutral effects emerged as is the case with net-widening. The neutralizing changes alter the corrective action process but do not necessarily make the experience more detrimental to the student. Intra-level changes are an unexpected finding of the analysis. Intra-level changes refer to policy adjustments that do not produce a more elongated discipline net, but that instead create more or less punitive discipline structures within level violations.

In sum, the evidence presented here illustrates that despite various sorts of policy changes that do not net-deepen, those that do surmount those that do not. Consequently, the theory that changes in school discipline policies in the era of zero tolerance produce a net-deepening effect is supported by the findings of this analysis. The consequence of the net-deepening is the increased likelihood that students being punished for violating school rules will have more difficulty getting out of trouble than in previous years. This likelihood acts to the detriment of students if they are further removed from a mainstream educational experience, adding to existing challenges facing students who depend most on urban public schools to provide them with opportunities for success.

CHAPTER SEVEN

LOOKING 'DEEPER' INTO THE DISCIPLINE NET: INTERACTIONS AND RELATIONS BETWEEN NET-WIDENING AND NET-DEEPENING

Introduction

In previous chapters, I presented interview data that illustrates the cultural-politics that produce the knowledge contained in codes of student conduct. I then provided detailed explanations of the widening and deepening of the school discipline net as reflected in codes of student conduct across a period of almost 15 years. The isolated presentation of net-widening and net-deepening proves useful because it presents clearly an otherwise confounding set of changes. Contrarily, separate presentations of the concepts conceal a more accurate depiction of how the policy changes actually impact the likelihood that student will get into trouble *and* get into deeper trouble.

Net-widening and net-deepening provide a means of understanding the myriad of ways that official school discipline policies have changed over time. This research highlights how the school discipline has undergone more changes than simple net-widening and net-deepening. That is, other tendencies of change emerged as a result of the content analysis, including net-shallowing, net-contractions, and intra-level net changes amongst other unexpected findings. These changes, reflected within the codes of student conduct proper and substantiated by the expertise of district insiders, complicate the common narrative of school discipline found within the literature – that zero tolerance discipline policies have produced increasingly punitive discipline practices that remove more students from the mainstream educational experience.

Net-widening and Net-deepening: Complicated Contradictions

At issue is to whether or not a widening and deepening (wider and deeper) discipline net automatically translates into a more punitive discipline system. To be certain, changes to the School District of Philadelphia's codes of student conduct suggest this is the case. But a closer examination of how net-widening and net-deepening interact and relate shows that the two processes reinforce one another in contradictory ways that neutralizes and renders problematic otherwise notable attempts to reduce the seriousness of certain behaviors and lessen the consequence of certain rule violations (de-criminalization). Analysis begs us to consider that net-widening and net-deepening need not be thought of as automatically detrimental for students. Instead, the conceptual utility of understanding school discipline policy creation and its related disciplinary *Ps* in terms of the school discipline net allows for the perils to be understood as well as for the identification of various sites of struggle and possibility to be conceptually unearthed.

Within this chapter, I present a more complicated analysis of net-widening and net-deepening than in previous chapters. I present and discuss two examples of how net-widening and net-deepening act in unison to produce school-based systems of discipline that over time are more far-reaching in what are defined as punishable actions and more severe in how students are punished. Discussing the concepts simultaneously and explaining their relations builds on the previous chapters to lend further substantiation to the school discipline net framework, related concepts and increase the space for inference making.

Here, we are provided with a glimpse of the true contradictory nature of net-widening and net-deepening. As discussed in the review of the literature, net-widening

emerges when rule makers attempt to 1) reduce client caseloads that place a strain on discipline management systems or 2) target low-level behaviors and incidents in an effort to dissuade more serious violations and acts of misbehavior. Item two is clearly what educators have attempted to do. Educators work to reduce teasing and bullying so that fights are less likely occur. This makes good sense and in and of itself is not necessarily bad policy rationale^{xii}. In fact, it could be considered proactive - that is until, net-deepening of the school discipline net occurs too.

Net-deepening takes a different philosophical approach to deterrence than net-widening. Considered solely, net-deepening represents a means of deterrence through spectacle. Offenders are punished severely in an effort to dissuade more serious violation and acts of misbehaviors. Hypothetically, if only net-deepening occurs with no net-widening, such policy changes would at least do no or very little harm to the vast majority of students (See Figure 2-3 in Chapter 2). The Gun Free Schools Act of 1994 makes good sense since there is little rationale for a student having a gun in school. Although the punishment experiences for the student caught in a deeper discipline net are certainly questionable (denial of educational opportunities for example), no more students would get in trouble than previously. Both of these processes offer different approaches to accomplishing the goal of control through deterrence.

The reality is that these approaches, both well-meaning produce a hodgepodge of confused priorities when combined. And this is the situation that presents itself in this research study. The previous chapters have illustrated the restructuring of the school discipline net in terms of width and depth. Working together, the volume of change is immense. However, within the school discipline net, possibilities for resistance become

apparent. As various social actors work to curb the effects of net-widening and net-deepening, policy changes interact to mitigate the punitive tendencies of the shifting policy structures.

In this chapter, I present two specific rules to illustrate how net-widening and net-deepening interact to reshape the school discipline net: Prohibition of Offensive Language and Prohibition of Harassment. For the first prohibition, I present a descriptive narrative and discussion to illustrate how other rules have emerged from the Prohibition of Offensive Language. In the second example concerning harassment, I do the same but go further to incorporate a discussion of how the changes might produce conflict as stakeholders use the code of conduct in their own interests. In the second example, I draw directly from interview data to accomplish this task. Both of these rules offer examples of how net-widening and net-deepening work in tandem to produce a vastly different discipline net over the years of study.

Example One: Prohibition of Offensive Language

In the 1992-93 school year, the prohibition of offensive language states that “a student shall not use profane, obscene, libelous, intentionally disruptive or offensive language in any school activity, or on any bulletin board, flyer or notice or through the public address system” (Rule 2, COSC 1992-93). The consequences for breaking this rule range from an initial loss of privileges to suspension for from one to five days. Over the course of the years studied, this prohibition expands into two distinct official rules (prohibition of offensive language and prohibition of gang colors and symbols) yielding two separate sets of corrective actions for students in grades 5 – 12.

By 2004, offensive language corrective actions range from detention (no. 2) to recommendation to CSAP Tier II intervention and suspension, the final two approved consequences. Based on COSC 2004-05, prohibition of gang colors rule violations also warrant detention as a third consequence, referral to teen court, referral to a community based-organization, and assignment to the SMART program, amongst other corrective actions. This section chronicles the changes that produced these outcomes and explains how the process translates into a wider and deeper discipline net.

Net changes from 1992 to 1999

The description of prohibiting offensive language and the consequences of breaking the rule both expand from 1992 to 1999, producing a net-widening and net-deepening effect. Within the expanded description, net-widening through interspersion is evidenced – the concern with computer networks and threats becomes a feature of several rules that are not present in the COSC 1992-93. The description in 1999 includes specific mention of computer networks and the sending and receipt of sexually oriented or threatening messages. Simultaneously, the consequences for breaking the prohibition expand. Students are subjected to a total of 12 possible disciplinary consequences in 1999, up from 10 possible responses in 1992. The two additional corrective actions include increased jurisdiction to punish poor behavior on school buses and referral to the SAP team (which in later years is called CSAP). Also notable is the increased number of privileges that are suggested be denied in the corrective action description.

Net changes from 1999 to 2002

Trends of net-widening and net-deepening continue into the 2002-03 school year with the official naming of the rule prohibiting offensive language. The rule by 2002-03

is officially called Disruptive and /or Offensive Use of Language/Gang Colors and introduces the prohibition of gang colors as sub-category “d” of the rule. An extension of the concern with threats, signaled by the interspersion of threats in the previous code of student conduct, the addition of gang colors displays the explicit disapproval of not only pictures and symbols, but the presence of colors (no specific colors are mentioned) as a symbolic threat deemed worthy of punishment. Although the rule title mentions colors, the description of the rule does not: it only mentions that students may not overtly display any symbols of gang affiliation.

Additional expansions evidenced in the rule infractions concern the malicious damaging of reputations of any member of the school community. Whereas previous years are concerned about the intended use of offensive language, the newly expanded descriptions reflect an occupation with the outcome of language use and its impact on members of the school community. The change implicitly broadens the concern about misuses of language from that of speaking, writing, sending, or receiving profane, abusive, obscene, or vulgar messages to an equal concern with the ability of libelous language to damage the reputation of a school community member. As previously discussed, the concern with framing rules by anticipated outcome is a major feature of the COSC 2002-03.

Accompanying the new concerns with gang symbols and colors and malicious damage to reputations of members of the school community is an enhanced list of corrective actions aimed at deterring and correcting these violations. A total of 18 possible corrective actions appear, among them, earlier use of detention and the introduction of additional personnel, such as probation officers and caseworkers as

disciplinary agents (see Chapters Five and Six, sections on *Changes From 1999 to 2002* for a more detailed account of the rule expansion and re-organization process). With twice as many descriptions of how the prohibition of offensive language could be broken and 1/3 more corrective action possibilities, it can be argued that the discipline net is more encompassing than in previous years.

The sole prescription to remedy the likelihood that students are more likely to be caught in a more severe school discipline net is the order in which first time violators of Rule 2: Prohibition of Offensive Language may be punished. Only responses “a” through “e” or the first 5 of 18 responses are approved interventions. In this way students will only be punished minimally for their first offense. This one limitation lessens the punitive nature of the restructured discipline net for first time offenders.

Net Changes from 2002 to 2004

There are few but noteworthy differences between the prohibition of offensive language in COSC 2002-03 and COSC 2003-04. The primary changes are found in the rule descriptions. Infraction b., for example, has been modified to read in a more succinct fashion. References to disapproval of malicious damage of reputation and the specificity about where unacceptable utterances or writings can occur no longer appear. The scope that considers messages “displayed on a student’s personal belongings” is absent. The rule still contains infractions prohibiting gang colors and symbols, a feature that disappears from the prohibition of offensive language in the COSC 2004-05.

Changes from 2004 to 2005 provide indubitable evidence of the net-widening and net-deepening of the school discipline net and illustrates well the interaction of the two policy consequences. The prohibition of offensive language appears at first glance to

have recoiled in the COSC 2004-05. Examining this rule in isolation however is misleading. A review of the all Level I violations reveals that the COSC 2003-04 Rule 2: Prohibition Against Disruptive and /or Offensive Use of Language/Gang Colors (official name) splits into two official rules in the subsequent year. One rule outlines the prohibition of offensive language, and is listed as Rule 4 in COSC 2004-05. The other, Rule 3, outlines the prohibition of gang colors and symbols. In addition to the partitioning of the rule, each is raised to higher levels, from rule 2 (initially combined) to rules 3 and 4 after the partition. The higher placement in the rule listing indicates that the infractions are considered more serious in nature than in the previous year.

A more accurate view of the changes emerges once the changes in disciplinary corrective actions are considered too, showing the discipline net to also be more punitive. The split of the rule into two separate rules only illustrates the extent of how this particular policy change creates a more comprehensive school discipline net. The shift from one rule to two rules produces a more extensive array of corrective actions. Keeping in mind the 2004 priority on individualizing corrective actions based on appropriateness to violations, the total number of possible consequences expands from 18 to 26. While there is certainly overlap, such as the issuance of detention, there are also divergences in each respective list of corrective actions that are deemed appropriate for the specific violation.

Final Outcome of Rule and Corrective Action Changes

The end result of the school discipline policy changes to the prohibition of offensive language is that two official rules exist instead of one. The prohibition against gang colors and symbols comes directly from the extension of prohibition of offensive

language over time. The extension, in turn requires new corrective actions be implemented resulting in a more encompassing list of possible infractions for which students can be disciplined. This list is eventually split into two distinct lists.

The outcome of the simultaneous policy changes to rules and infractions and corrective actions reflected in COSC 2004 is the creation of a discipline system in which students face more official ways of getting into trouble and more ways of being corrected, several of which constitute more punitive means. In 1992, a student could face up to 11 different corrective actions for using offensive language, relatively narrowly defined. By 2004, the same student would face up to 18 possible corrective actions for offensive language, although it is still narrowly defined.

But, in the same year (2004), the student would attend school where the school discipline net has increased in volume so that he or she may likely violate an additional rule prohibiting gang colors and symbols. The rule is a direct extension of the prohibition of offensive language that disapproves of sports paraphernalia worn with the intent of showing gang allegiance, amongst other infractions. For breaking this rule, a student faces 11 possible corrective actions. These changes illustrate that a wider and deeper school discipline net has been constructed over the years.

Example Two: Prohibition of Harassment

Results of the content analysis of codes of student conduct reveal that much wider range of possibilities and priorities for identifying and correcting misbehavior exist in COSC 2004-05 that are not present in COSC 1992-93 or previous codes of student conduct. But key informants provide us with insights to caution that additional rules may not necessarily translate into more youth getting into trouble, only that there are more

ways of getting into trouble. In the same way, more corrective actions may not necessarily mean students are punished more severely, only that there are more ways to respond to rule violations and not all of them are more punitive. Instead, interventions are common additions to the list of approved corrective actions.

Although determining the specifically how social actors interpret and implement the policies contained in the code of student conduct is not the central focus of this research, I wish to at minimum discuss the possibilities by integrating the interview data into the upcoming discussion. What occurs once new chances to identify misbehaviors and enact corrective actions are presented depend on how the changes are understood and how they are acted on by various stakeholders within the district. Such possibilities beg that we look beyond the codes of student conduct as the sole source of data. So here, I use interview data, some of which appears in chapter four, to enhance the presentation of findings in this example of net-widening and net-deepening interactions.

Overview of Changes

Prohibition of harassment offers an example of a rule that alters the discipline net. Harassment, by 2004 is treated as a Level II violation resulting in the suspension and recommendation for transfer/expulsion on an EH-21 for any offending student. The policy changes that bring harassment to this 2004 Rule 18 stature are numerous. Through an array of violation level shifts, rule description changes, and re-ordering, harassment provides an example of a rule that undergoes numerous re-conceptualizations, suggesting a struggle amongst stakeholders of how to make sense of a conceptually complex prohibition that over time encompasses threats, intimidation, and bullying. These changes in turn produce net-widening, net-deepening, and numerous other emergent themes, such

as net-shallowing. To uncover the ways in which the rule changes expand and deepen the discipline net, the policy changes impacting the rules and consequences of harassment must be traced in concert.

In 1992, harassment does not appear as an official rule. Instead, harassment is an infraction of rule 13, which focuses on various aggravated offenses, a Level III violation. Uniformly, the infractions of the rule are to be responded to in one of two or both ways: a. transfer student to disciplinary school and/or b. expulsion from the School District of Philadelphia. The response in 1992 is not much different from the corrective action in the final code of student conduct presented in this analysis: suspend the student and recommend student for transfer/expulsion on an EH-21 (Level II C.A., COSC 2004-05).

Two issues are of great importance here. First, the rules seem on the surface to bear the same consequences; however, from the interviews with key informants, we learn that expulsion and what it actually entails in 1991 is quite different than what expulsion means and entails in 2004-05. Currently the recommendation for “transfer/expulsion” is quite literally the same thing. As Erin, a key informant explains, a transfer is an expulsion. The difference is that the student is expelled from mainstream public district schools to a disciplinary school. Formally, the student is expelled. But by simultaneously assigning the student to a discipline school, the district evades the possibility of having to provide the student with additional funds for education under compulsory education laws. Expelling students to the streets (where a student is not even allowed to attend a district disciplinary school) is reserved for the most severe instances of misbehavior, such as multiple weapons violations.

Given this state of affairs, one could argue on one hand that students are at least being afforded an education by the district. On the other hand, the discretionary authority afforded by the and/or present in the COSC 1991-92 structures a possibility for a lateral transfer to another school or a formal expulsion to the streets. In the second instance, a student would be fully dependent upon a savvy parent to successfully gain access to alternate educational opportunities. Neither one of these situations is positive for a student to experience. Considering the lack of transparency of many alternative schools, social and academic indicators of success and the inability to track the well being of students formally expelled from the district, educators and researchers are blinded to whether or not these alternatives potentially push students into the black hole of the school discipline net or are capable of reintegrating students into mainstream classrooms. Event, the intentions of such places are mystifying.

Thus far, we have only touched upon one half of the story – corrective actions. Inserting the changes in rule descriptions and examining what constitutes harassment reveals a strikingly more complex story of policy changes. Despite the similarities of the corrective action for harassment in first and the final code of conduct analyzed, the rule is responsible for producing net-widening and net-deepening effects of a profound nature. It is therefore no surprise that teachers who hold grudges against certain students can easily make such claims as ‘well he said he’s going to beat me up ... he should be expelled’ (Shannon, interview transcription) are able to remove students from schools by virtue of feeling threatened, creating yet another problem for various school stakeholders to sort out.

Harassment becomes a broader issue

As is characteristic of all rules in COSC 1992-93, harassment is defined rather narrowly and although claiming to pertain to any member of the school community applies most directly to students' treatment of school employees. It is a Level III rule suggesting that harassment is not light matter. It is a serious offense for a student to assault, threaten bodily injury, harass via telephone, stalk, or damage the property of any staff person. Because the rule pertains primarily to staff (as reflected in the description), breaking the rule is responded to by the use of removal – transfer and/or expulsion.

Interestingly, the prohibition of harassment is featured more prominently in COSC 1999-00, but the expansion of the rule positions it as a less severe rule violation in COSC 1999. Harassment becomes rule 10 in 1999. While remaining part of the aggravated offenses rule 13 infraction, harassment is placed in the Level II violation category as a separate rule in and of itself, listed as Rule 10 (there is no official rule name). The description pertains more directly to student to student interactions than the Level III, Rule 13 violation, suggesting that harassment against students is a less serious matter than against school staff. None-the-less, by 1999, both are important.

Students committing harassing acts of a criminal sexual nature against other students are to be treated as though they have committed an aggravated offense. In this move, the prohibition of harassment does not necessarily move from one section of the code of conduct to another, but instead begins the process of net-widening through interspersion. As harassment becomes imbedded in multiple rules, the corrective actions for the violation encompass both Level II and Level III responses, expanding the range and severity of possible disciplinary consequences. Shannon reveals the problem with

positioning this sort of harassment of a sexual nature as such a severe rule. She explains that, at one point, the number of (elementary) students expelled under this rule was staggering. It is later reduced to a violation called inappropriate touching, although the harassment of a criminal sexual nature remained for more serious offenses.

The reduction of harassment to the Level II violation category in 1999 foreshadows the overhaul of the Level II violation category. In 2002, Level III ceases to exist and becomes embedded with the Level II violations, reframing the pre-established hierarchy found with the discipline net. Of the corrective actions, the number of possibilities is reduced from seven less refined responses to four relatively more comprehensive responses (see Chapter Six for detailed explanation). Two previous responses, the first and last of the initial seven responses, no longer appear in COSC 2002-03. The 1999 Level II C.A. a. indicates that a student in violation of the code should be transferred to another school. This first and lowest level response does not appear in the COSC 2002-03. Neither does the most severe Level III response: referral to law enforcement authorities. Law enforcement, while remaining an option for severe instances of student misbehavior, does not appear as listed corrective response.

The reorganization of the policy in this fashion results in a code of student conduct less capable of distinguishing multiple level of seriousness of misbehaviors at the more serious end of student infractions. But it also omits the least harsh and most harsh punishments in the list, suggesting perhaps an attempt to establish a middle ground for corrective actions. But it fails in this regard for rules. Instead, the rule changes profoundly recast particular rules in a more black and white than grey fashion, suggesting that certain rules warrant increasingly severe consequences while failing to propose that

lesser violations receive less severe disciplinary responses. These interactions of net-widening and net-deepening confound a clear path of school discipline policy creation, revealing the shortcomings of viewing discipline changes in terms of net-widening or net-deepening alone. Let us turn back to the case of harassment as a means to gain clarity and to point out other interesting happenings.

The introduction of bullying (net-widening)

COSC 2002-03 Rule 10, the prohibition of harassment reads:

No student shall engage in verbal or physical activity, which he/she should reasonably expect to have the effect of harassing any student, staff member, or school visitor. Harassment, for the purpose of this rule, includes a course of conduct, or a single aggravated incident. Harassment includes, among other things:

- a. Unwelcome sexual advances, requests for sexual relations, sexual comments, sexually-oriented gestures, sounds, remarks or comments about a student, staff member or visitor's sexuality or sexual experience;
- b. Offensive expressions concerning a person's race, sex, religion, disability or national origin,
- c. Efforts to intimidate, bully, or ridicule. (See Rules 11 and 14 for offenses involving other serious forms of sexual or physical misconduct.)

While using similar language and tone found in the COSC 1999-00, the newly updated version adds infraction c., concerning bullying. The change not only produces net-widening, but official adds an important word to the repertoire of infractions found in the codes. Over time, the bully infraction (like the statements prohibiting gang colors and symbols in the prohibition of offensive language) eventually enters the ranks of official rule, extending harassment even further beyond its initial characterization, albeit with the use of different language.

The addition of infraction c. cannot be understood as a mere addition intended to equally target all students. Bullying, in particular is a prominent display of aggression among younger students, although it does occur in the higher grades. Pat, the elementary school principal considers her school to not have a safety problem, but openly acknowledges that “we are not doing as well as I’d like to in the bullying area. That’s something we’re working on.” The official recognition of bullying here sets the stage for it becoming an issue for which financial resources are made available.

Its initial entrée into the code of student conduct positioned it among the most serious violations, a status that it maintains even today: fortunately, stakeholders have since recognized that interventions such as anti-bullying programs are more age-appropriate responses to bullying than the corrective actions outlined within the code of student conduct. But bullying is important as it has been given considerable attention with the field. Initially, bully targets a low level offense in order to deter precipitous acts of higher level violence – researchers have made this recommendation and created strategies for how to target bullying. So while it remains a serious issue, the means by which bullying is addressed, often through school-wide preventative social curricula as is the case in Pat’s elementary school, is quite different from how other violations are addressed.

Increased reliance on alternative educational spaces (net-deepening)

While the process of net-widening unfolds, new programs such as CEP are introduced as the appropriate means of punishing harassing behavior. The corrective actions listed in COSC 2002-03 rely heavily on placement in alternative educational spaces as appropriate disciplinary responses. The first suggestion is that students be

placed in alternative education *that requires academic and attendance criteria* (CEP is one of these), supporting the speculation within the literature that alternative educational sites are probably more non-academic in nature than they are academic in nature. The second recommendation is for placement into a remedial disciplinary program or twilight program, sites that are undoubtedly on the periphery of mainstream educational experiences, offering further support for the theory of net-deepening.

In addition to receiving one of the aforementioned sanctions, students violating rule 10 (ie. Harassment) must be referred to a mental health program or school district program for counseling (Level II C.A. c., COSC 2002-03). This unconditional consideration and subsequent requirement that the school counselor monitor the student's progress, however well-meaning holds the potential to result in two things. First, the increased surveillance and documentation of the student's behavior can work to the detriment of the student if the ongoing collection of student records is primarily for building a case against the student for disciplinary purposes. Second, the requirement to recommend the student for counseling and to attend non-traditional educational programs could yield to the piling up of sanctions onto the violating student, increasing the tendency for the student to get into additional trouble.

Both of these possibilities are addressed outright by key informants. Well aware that the CSAP process and EH-21 process creates a strong paper trail that can work against the best interest of the student, the school district holds a policy that allows the disciplinary history to be erased. Erin explains that most people are unaware of this possibility and therefore carry a poor disciplinary record with them throughout their schooling career:

With the charter schools, if they accept you although you were assigned to an alternative school or formally expelled, pretty much if they accept you and you are good for a whole full year - no disciplinary problems - you can petition to go back and circumvent the whole [expulsion] process. People aren't informed. (Erin, interview transcription)

Sharing this vital information with students and parents is important considering it offers an incentive for students who for whatever reason find themselves being transferred/expelled to a disciplinary school to maintain good behavior. Moreover, it brings into clearer focus the conundrum students may find themselves if placed into a disciplinary education setting. The automatic consequence of nearly any rule violation that occurs in a disciplinary setting across all codes of student conduct is recommendation for expulsion. This illustrates how getting out of the discipline net becomes increasingly difficult for students when policy adjustments are not well thought out, when information is not made available to parents and students, and when the district usurps the duty of educating expelled students. The changes evidenced within the School District of Philadelphia codes of student conduct unequivocally produce unintended consequences such as net-widening and net-deepening.

Harassment breaks up – threats, bullying, and harassment

Analysis of the interaction of net-widening and net-deepening also reveal more information about the widening of the discipline net through infusion. Harassment is never clearly distinguished from threats until prohibition of threats becomes an official rule in COSC 2004-05. Prior to this code of student conduct, the disapproval of threats was interspersed throughout several rule descriptions, prohibition of harassment being one of them. A sizable section of the prohibition of harassment is dedicated to the concept of threats in the COSC 2003-04:

Threats include any attempt, by physical menace, or verbal intimidation or taunt, to put a member of the school community in fear of injury, pain or social ridicule. The intentional posting on networks of the addresses or telephone numbers of fellow students or other members of the school community is a violation of this rule.

Interestingly, the rule begins to read very much in the same fashion as the prohibition of offensive language, especially as it demarcates the spaces in which such actions are unacceptable. The rule concludes with the statement “this rule includes spoken and written messages including on any bulletin board, flyer or notice; or over the public address systems or computer networks, or displayed on a student's personal belongings” (Rule 1, COSC 2003-04).

Such overlapping prohibitions complicate which rule a student is likely to violate if they engage in the described behaviors - prohibition of harassment or prohibition of offensive language. The case, based on the descriptions, could easily be made that both rules could be violated at the same time. This interpretation of course would call for corrective actions to be issued for multiple infractions and serve to pile sanctions on a student, effectively cutting across both Level I and Level II violations and corrective actions.

After prohibition of threats is removed from the prohibition of harassment and becomes an official rule, the possibility of a student simultaneously breaking three rules becomes increasingly likely. This is a net-widening effect of policy changes that haphazardly leads to net-deepening. Harassment expands so far and deep because it is introduced into the code of conduct without a precise understanding or conceptual vision of what questionable student behaviors the prohibition seeks to correct. Moreover, the concept of harassment itself is loaded with possible interpretations and applications.

The creation of the 'Anti-Harassment Policy'

Initially included into the COSC 1999-00 as rule 10, a Level II violation, harassment over time produces a more encompassing, more punitive discipline net. By the 2004 school year the prohibition reaches a point of saturation within the code of student conduct. The definition of harassment is so detailed and elaborate that it is called for its own unique policy document. Slimmed down greatly from the description in COSC 2003-04, the opening statement of the prohibition simply states that students shall not violate the Anti-Harassment Policy of the District. It continues on with a brief explanation of what harassment violations entail:

A student violates this rule if he or she demands sexual favors or harasses, threatens, intimidates, or otherwise creates a hostile school environment because of someone's gender, age, race, color, sexual orientation (known or perceived), gender identity expression (known or perceived), national origin, religion, Disability, socioeconomic status, and/or political beliefs. (Rule 18, COSC 2004-05)

Notice that the term bullying does not appear in the description. This omission is the result of a newly named official prohibition against bullying, introduced as Rule 17 in COSC 2004-05. It appears one rule below the prohibition of harassment, its antecedent. While the word threat is still present in the description, it too becomes its own official rule by 2004. The prohibition of threats is recast as a less severe form of harassment, an inference taken from its position as a Level I violation. Ironically, threats is introduced in the vastly restructured code of conduct as Rule 10, previously harassment. This move ensures that a student can be punished for harassment by any corrective action at any violation level, albeit under the guise of different names.

Outcome of Policy Changes for Harassment

Based on the evidences discovered within the seemingly subtle changes presented, harassment exemplifies a rule that has reshaped the discipline net in a way that creates an increased tendency for students to be punished more ways (under more names) and more severely. This is true whether the student violates the prohibition of threats and faces an array of corrective actions from detention, referral to CSAP tier I or II, or suspension. It is equally true for the student found in violation of bullying, who tend occupy lower grade levels. Finally, violating the Anti-harassment policy results immediate suspension and recommendation for transfer/expulsion on an EH-21 (Level II C.A., COSC 2004-05). Whereas, early school discipline policies relegate harassment to instances of intimidation against school staff warranting serious corrective actions, the modification of school policy that recast harassment as harassment, threats, and bullying, ensure that a wide range of behaviors and infractions can be punished through a wide range of corrective actions.

CHAPTER EIGHT

A DISCUSSION OF STUDY RESULTS AND IMPLICATIONS

Insights and Significance of Research Results

The results of this research study on school discipline in the era of zero tolerance establish that cultural politics shape school discipline policies in the U.S. This is especially so in urban school districts where competing knowledge informed by cultural differences is likely to interrupt the hegemony of dominant groups. This research delineates how ongoing struggle(s) over how to address the school safety problem emerged in its modern form in the late 1980s. The struggle has since worked to co-produce various sets of policies and procedures and increased the number and variety of places and personnel who work to ensure schools are safe. School discipline policies, procedures, and practices are discursively informed by an iterative process of problem defining and policy creation, whereby different groups attempt to establish their philosophies and perspectives on the school safety problem as official knowledge.

To establish an agenda that is based upon and maintains official knowledge requires a relatively powerful constituency and strategies – the winners of this struggle, in the era of zero tolerance, happen to be the New Right. The New Right movement has succeeded in establishing neoliberal and neoconservative ideologies, discourses and their accompanying policies as common sense across many institutional domains on both a local and global level. These hegemonic tendencies reached the penal system in the 1980s and spilled over into education by the early 1990s. Consequently, New Right penological thought and policy and neoliberal educational reforms coagulated in the public school

context to establish an agenda that many stakeholders believed could address the school safety problem.

It has been since the mid 1990s that a clear zero tolerance agenda has prominently guided efforts to instill discipline in students, foster school safety, and ensure educational environments are conducive for learning. Recently, however, research and the amalgamation of adverse disciplinary experiences of individual students attending schools under the zero tolerance agenda have unveiled serious flaws in the zero tolerance approach to school discipline. The outcomes are examined extensively in the review of the literature (see Chapter Two) and include militarization of schools, loss of school based authority, the proliferation of a new professionalism and student behavior industry, and a well documented disproportional impact on the educational trajectories of working class and poor urban public school students, especially Black males. Given well documented policy outcomes (or lack thereof), unintended consequences, and a resounding critique of zero tolerance approaches to discipline, why then is the zero tolerance agenda so legitimate in the school policy context and how has this legitimacy been maintained? This research has recognizes that discursively co-produced cultural products that represent a continuity of discipline related knowledge hold insights to these questions: school discipline policy texts.

District-wide codes of student conduct, with their imbued discourses hold clues to how conditions and circumstances for youth (irrespective of if their behaviors change or do not change) to be caught in the system of discipline are constantly negotiated, reproduced, and circulated in the era of zero tolerance. Through examining the process of policy creation and modification that legitimates official knowledge about the school

safety problem, the findings of this research contribute to a more comprehensive understanding of how zero tolerance era discipline policies produce the outcomes featured prominently throughout the literature.

This study establishes that from 1991 to 2006, net-widening of the school discipline net in SDP has increased the likelihood that youth will be caught in an official discipline system. I have also established through this work that in the same timeframe, there is an increased likelihood that students attending public schools in the SDP will be punished more severely today than in years past: the school discipline net has net-deepened. Together, net-widening and net-deepening produce the likelihood that all students in the School District of Philadelphia are more likely to get into trouble and into deeper trouble if they are found in violation of school rules. Delving further into understanding these policy level processes allows researchers to begin theorizing, understanding, and recognizing patterns about the potential effects of policy changes before adoption and implementation and establishes a proactive rather than reactive stance on the study school discipline policies.

To be clear, this research does not depart carelessly from the current literature. To the contrary, the project stands on the shoulders of researchers and scholars who have expressed bold ideas. Net-widening, net-deepening, and the school discipline net derive directly from findings in the literature, reflecting what the field argues is occurring in urban school districts throughout the U.S. This research study has contributed to the field by exploring and lending empirical credence to the phenomena discussed in the literature and rearticulated the ideas discussed within the field to suite politicized educational policy context. However, the general outcomes-based consensus within the scholarly

literature is worrisome. This research challenges the field to move beyond consensus towards increased critical engagement with the Disciplinary *Ps* of school discipline. Two of the Disciplinary *Ps*, policies and procedures remain vastly underexplored and offer abundant space for such critical engagement.

Critical educational researchers concede that critical engagement with issues is important. Such engagement is needed with school discipline policy studies where processes at various levels of analysis are the focus of attention. Such a focus would push the field towards theoretical clarity and hence stronger research findings. Additionally, a more intense focus of policy studies would beg the field to move beyond a consensus on outcomes field to ponder and wrestle with new sets of questions and new approaches to solving pressing problems. This research study reignites much needed debate. Here, I wish to make the case for how critical engagement and debate can be reignited through moving beyond zero tolerance discourse and employing the school discipline net framework and concepts to the study of school discipline.

While the political practicalities and abilities of the school discipline net discourse to interrupt the zero tolerance agenda, its discourse, and related school discipline policies have yet to be established, this work conceptualizes how this might be accomplished. The choice to write about the detrimental impact of school discipline policies without using the politicized language associated with the zero tolerance debate is not inconsequential. Results sections of this research do not refer to criminalization, militarization, corporatization, or any of the more widely employed terms that are prominent in the field. Nor are overt references to race, class, gender, disability, language, religion, sexuality, and other potentially polarizing cultural identifiers. The study deliberately institutes a

race and class-neutral stance that focuses on how *all* students in urban public schools are adversely effected by the zero tolerance agenda and it's expansive school discipline net – never-the-less, issues of race, class, and gender, injustice, disproportional mistreatment of Black males, containment, criminalization, exploitation and the such undergird this research project as these concerns do many studies within the field. While the references are absent, the concerns remain alive and well. The strategic approach to the study *and talk* of school discipline policy is with clear purpose.

The discourse of the study is resolutely grounded in a good sense rather than a common sense understanding of why employing the established and academically codified school discipline discourse is problematic. If not considered in its proper context The good sense of developing and employing a race and class-neutral discourse to serve as the conduit of essential argument(s) of this work runs the risk of falling into a nebulous intellectual, academic, and educational space between but not within either the Right or the Left. Scholarship positioned in such precarious spaces runs the risk of going unnoticed or being disregarded if noticed. But awareness of the cultural politics of school discipline and concern with the real hegemonic powers of the New Right discourse and the zero tolerance discourse heighten the urgency of producing studies and scholarship of this sort.

If scholars recognize, on one hand, the New Right's masterful ability to construct consent (through common sense) and control official knowledge and, on the other hand, be aware of the implications of the zero tolerance agenda on the educational experiences of oppressed student populations, seeing how discipline has become another barrier is uncomplicated. However; discipline need not be another barrier (see Significance section

in Chapter One). As such, if the field is serious about using research findings to shape activism, advocacy, and especially policy decision making and creation, consideration must be given to how our engagement with the currently established discourse(s) (Right's zero tolerance and Left's politicized reactions) dis-empowers critical intent in the policy context.

Summary of Key Research Findings

The zero tolerance era school safety and discipline policy literature does not give sufficient attention to the processes that sustain the zero tolerance agenda. Two inextricably linked factors, zero tolerance-related discourse and the policy creation process, dialectically sustain the zero tolerance agenda that produces the outcomes discussed in the literature. Here, I re-introduce the key findings of this research. After revisiting these findings, I frame the remainder of the discussion using the school discipline net framework, net-widening, and net-deepening, and the Disciplinary *Ps* that comprise the net to discuss the state of the field and illuminate what underexplored *Ps* – policies and procedures - require additional attention and discuss why.

School Discipline Nets and Disciplinary Ps

Earlier in this study, the school discipline net was introduced as the conceptual space of trouble that many youth find themselves in for violating school rules (see p. 56). As a result of this study, the components of the school discipline net are clearer. A more precise conceptualization has emerged. The various components and processes that comprise the school discipline net are: Disciplinary *Ps*: problems (perceptions), philosophies (perspectives), policies, procedures, practices, personnel, and places. A

discipline system can be understood as a dynamic mixture of these various unified components that constantly circulate within a structure of space and places.

School discipline nets thrive off of problems. In the case of this study, the stated problem is the school safety problem and its relation to the problems of school crime, violence, misbehavior, and (lack of) student discipline. How these problems are viewed and framed is largely a matter of perceptions and so too are the solutions to the problems. Based on whatever philosophical perspective is dominant at a given historical moment, a set of policies is developed to address the problem. Procedures are designed and implemented to ensure policies are properly carried out. But official procedures often conflict with the practices of various school personnel operating based on their own perspectives and biases. How practices are employed on the ground, procedures and policies interpreted, depends largely on professional practices, geographic and institutional places. Strong policies and procedures orchestrate the circulation, expansion, and cohesion of the various Disciplinary *Ps* of the school discipline net.

In weak discipline nets, contradictions and discrepancies inherent in the multidimensional space of the school discipline net breed additional problems (such as the outcomes of zero tolerance policies). The contradictions perpetuate the nets seemingly unalterable existence. Currently this process is driven by the zero tolerance agenda, a reality that does not have to be the case: within the school discipline net are various untapped and unseen potentials for resistance. The ebbs and flows of Disciplinary *Ps* within the discipline net need not be chaotic. Briefly revisiting the central findings of the research – net-widening, net-deepening, and related policy creation and modification

processes – that are at the center of shaping the Disciplinary *Ps* clarifies how disarray within the school discipline net can be eased.

Types of Net-widening and Net-deepening

Operational definitions of net-widening and net-deepening guided the initial coding of codes of student conduct. Net-widening refers to the expansion of school rules that run the risk of getting more students into trouble. Net-deepening reclassifies behaviors in ways that signal increasing seriousness of given offenses by changing consequences and corrective actions for misbehaviors in ways that ensure students are likely to get into deeper trouble. Net-widening is a matter of breadth and scope – what behaviors are considered problematic and worthy of punishment? Net-deepening is a matter of depth – how should identified behaviors be responded to? Who are the personnel and what are appropriate practices for correcting misbehavior? Finally, what procedures guide good practice? As a result of coding based on the operational definitions, several types of net-widening and net-deepening emerged that explain different types of widening and deepening changes and effects.

Net-widening refers to policy changes that produce an increased likelihood that students will fall into the discipline net. This occurs primarily through identifying unwanted behaviors, labeling these behaviors and deducing and modifying school rules to curb the identified unwanted behaviors. Net-widening also considers scope of rules, such as intent, to whom rules apply, where and when rules apply. Types of net-widening discovered during the analysis of codes of student conduct include the addendum method, subtraction of phrase method, infusion/interspersion method, and rule addition method.

Net-neutralizing changes and net-contractions are related changes that do not widen the school discipline net.

Net-deepening of the discipline occurs when alterations are made to corrective actions, rule enforcement personnel, disciplinary places, rule enforcement procedures that create the possibility, likelihood, or probability that particular outcomes of discipline experiences will be more punitive than in previous years. The methods include addition methods of net-deepening, elimination methods of net-deepening, and rule re-ordering. When rules are added or reordered, the piling up of sanctions may result. When new procedures and personnel are added, case building becomes increasingly likely. Finally, few net-deepening changes directly lead to any particular final outcomes since various Disciplinary Ps hold the potential to modify the policies and procedures outlined in the codes of student conduct.

Philosophically, both approaches attempt to be proactive through deterring unwanted behaviors. Net-widening targets low level misbehaviors to prevent higher levels of misbehavior. Net-deepening targets high levels of misbehavior severely to prevent high levels of misbehavior. The potential for more problems arises when the two policy changes interact in contradictory ways that undermine the other's potential effectiveness. More rules ensure that more students are likely to get into trouble. More severe consequences ensure that students are likely to be punished with increasing severity. The sum of the two likelihoods is that students are more likely to be punished and punished more severely over time.

Understanding How the School Discipline Net Can Be Changed

Filling the policies and procedures gap

The zero tolerance agenda is comprised of numerous policies and these policies undergo constant scrutiny, reorganization, and modification as evidenced in this work. While many research studies in the literature are touted as policies studies, most could be more accurately described as studies of policy effects. Failing to distinguish policy studies from studies of policy effects is a severe flaw of the field. Very few of the former exist, while the literature is ripe with the latter. This research falls into the category of critical policy studies. It examines the process of how SDP school discipline policies have changed over time to understand how policies produce likely outcomes. Juxtaposing this research with existing studies in the field highlights the fecundity of this approach.

Studies of policy effects focus on specific policies or strategies to reduce school violence and manage student behaviors and seek to understand the outcomes of the policies. Lines of inquiry include the success or failure of policies in achieving their intended goals or what examinations of the unintended consequences of particular policies or sets of policies (Granberg-Rademacker, Bumgarner, & Johnson, 2007; Redding & Shalf, 2001). Examples of policy effects studies conducted in the era of zero tolerance include studies of uniform policies (Bodine, 2003; Brunsmas; LaPoint & Holloman, 1993), metal detectors and surveillance technologies (Toby, 2002), bullying and various anti-bullying initiatives (Dake, Price, & Telljohann, 2003), the use of suspension and expulsion, removal of students (Raffaele-Mendez, 2003; Skiba & Peterson, 1997) and so on. Studies of policy effects amass to comprise a large segment of the literature.

Since discourse has wrongly reduced zero tolerance to “policies,” much research has been dedicated to studying the effects of zero tolerance policies rather than the zero tolerance agenda. Precisely, zero tolerance policies are mandated minimal punishment for breaking stated rules. As such, methodologically, it seems that to study a zero tolerance policy would require researchers to examine whether the stated minimal corrective action and enforcement is applied to all situations warranting particular disciplinary responses. Within the field, few if any such research projects do this. Moreover, the results of this research suggest that the assumption that a zero tolerance policy directly rather than indirectly produces any particular set of outcomes is a rather unrefined posture. The crude fact that Disciplinary *Ps* complicate the process has gone underexplored among the policy related work in the field.

To be fair, select Disciplinary *Ps* receive much more attention than do others. The field, if organized according to Disciplinary *Ps* would reveal that much problem defining research exists (Aitken, 2001; Chen, 2008; Cohen, 2002; Furniss, 2000; Goode & Ben-Yehuda, 1994; Lawrence & Birkland, 2004; Leone, Mayer, Malmgren, & Meisel, 2000; Schiraldi & Ziedenberg, 2001;; Lindle, 2008; Olweus, 1996; Unnever, 2005; Wilson, 2004; Welsh, 2003; Welsh, W.N., Stokes, R., & Green, J. R. 2000). So too does work seeking to philosophically understand what discipline is (Arum, 2003; Axelman, 2006; Glazner, 2005; Osher, VanAcker, Morrison, Gable, Dwyer & Quinn, 2004; Menacker, Hurwitz, Weldon, 1989; Price, et. al. 2002). These brands of articles concerning philosophical perspectives are staples within the field. Collectively the studies offer unique and rich philosophical, disciplinary, and theoretical insights to the problem defining and solution development process.

The literature also focuses decisively on practices and personnel. These research projects provide the field with critical examinations of the co-production of disciplinary incidents with a focus on teacher and administrator practices and interactions with students (Dunbar & Villarruel, 2002; Gregory & Mosley, 2004; Morris, 2005; Monroe, 2005; Vavrus & Cole, 2002). Studies of best practices are also widely available (Astor, et. al., 2005; Gable, Butler, Walker-Bolton, Tonelson, Quinn, & Fox, 2003; Gottfredson & Gottfredson, 2001; Higgins, 2005). It is from this body of work that many of the alternatives to zero tolerance, such as Positive Behavior Supports (PBS) are located (Safron & Oswald, 2003).

Finally, studies of place abound. At issue is the centrality of how educational spaces and places allow and disallow particular practices (Casella, 2005; Christle, et. al. 2004; Dunbar & Villarruel, 2004; Raffaele-Mendez, Knoff, & Ferron, 2002). Certain educational places and spaces are more conducive to learning than others (Raffaele-Mendez, et. al., 2002). In some school environments, poor school climate and culture predict school disorder (Gottfredson, Gottfredson, Payne, & Gottfredson, 2005) which can lead to school crime and violence (Chen, 2008). Alternative disciplinary spaces are schools are shown to adversely affect students (Casella, 2004; Duncan, 2000). More broadly, the political geography of global neoliberal processes impact on urban schools lend credence to the idea that entire districts are under siege by corporatization and militarization (Lipman, 2004; Saltman & Gabbard, 2003). Place is hence recognized as central and treated accordingly.

Collectively, studies in the field all focus on different overlapping Disciplinary *Ps*. Returning to the *Ps* of policies and procedures allows for an enhanced understanding

of the gap in the literature that this research study fills. More importantly, the centrality of studies such as this one that seeks to move the study of school discipline policies beyond consensus, beyond the field into the policy context, and beyond the era of zero tolerance becomes apparent. Personnel are responsible for establishing and maintaining school policies. Personnel modify and author policy documents such as codes of student conduct. Many researchers have offered suggestions about how this process can be democratically approached (Denton, 2003; Noonan, Tunney, Fogal, & Sarich, 1999; West, Leon-Guerrero, & Stevens, 2007), but have not thoughtfully articulated the cultural politics of establishing democratic processes in increasingly undemocratic school environments.

This study, for example, discovers that the student code of conduct process is not at all democratic in the School District of Philadelphia, although Erin, a district insider remembers “there being forthright attempts to include various different stakeholders from the broader school community” (pg. 135) at some points in time. The more democratic process, tinged with cultural politics, was discarded in favor of obscure policy creation and modification decision-making at the central level, conducted by a small committee of district professionals and legal counsel.

The extent to which the policy creation process is at least a research-informed one remains unclear although the study results strongly suggest there are no clearly established research procedures, research personnel, or data analyses processes in place to inform discipline policy decision making. Given the highly centralized corporate model of governance in SDP, discipline policies and codes of student conduct are created in a top down fashion that relegates students (and their families) to a status of objects to

be acted on rather than subjects and partners in the school safety and discipline process. Researchers have done little to offer empirically grounded insights as to why this unfortunate reality is the case and how it can be changed. This research sought to understand this process. The research statement and questions of this research presented in Chapter One explains that in the era of zero tolerance...

School discipline policies and procedures have expanded immensely. During this same time, youth crime and delinquency and violence have remained steady. Despite this, the number of students experiencing discipline in school, especially, punishments involving removal from the mainstream school environment have increased. These simultaneous occurrences suggest that schools today are spaces where students are relatively more likely to get into trouble and more likely to be disciplined with increased severity than in the past even if student misbehavior remains constant. (pg. 20)

The findings of this policy study confirm the accuracy of this statement. I have delineated how the School District of Philadelphia discipline policy discourse is grounded in a hybrid New Right penological and school reform discourse. Using, a net-deepening conceptual framework, the theoretical and analytical concepts of net-widening and net-deepening, and emergent net-change concepts to understand policy changes as reflected in codes of student conduct, this research documents how the school discipline net has changed over the course of 15 years.

Together, net-widening and net-deepening effects of the policy creation process contribute to restructuring the school discipline net in ways that are increasingly punitive for all students attending public schools in SDP, but that explain how youth of color are disproportionately targeted by focusing on how policies and procedures may shape teacher and other personnel perspectives and practices. The implications of school districts' discipline policy changes producing an increasingly punitive school discipline

net is that discipline is indeed becoming another barrier to success in schools, while not addressing the problem of school safety.

Research Contributions

Zero tolerance era school discipline policies have not only failed to address the issue of school safety and student discipline, but have created an array of detrimental by-products. One of most pressing is the solidification of the unjust, unfair, and racist constructing of Black males as criminal. But because teachers and school personnel hold theoretical understandings the school discipline gap and Black male overrepresentation that are culture and race-blind (Gregory & Mosely, 2004), many stakeholders are unable to arrive at how their own practices contribute to criminalizing black youth.

This research makes a very similar argument, albeit with the Disciplinary Ps of official school district policies and procedures as of the unit of analysis rather than the practices and perspectives of school personnel. The school discipline net framework, as currently presented provides ample room for critical race theoretical perspectives to be expressed when necessary while also allowing for the understanding of race, class, and gender to remain an implicit, although core, consideration in other context. For example, disproportional punishment of Black males can be challenged at the district level in addition to the classroom and school level if a discipline net framework is adopted. Doing so allows for a broader prioritization of mitigating the negative affects of school discipline policy.

The process of policy creation in the era of zero tolerance has yet to be fully explored and much remains to be known. Going into this research study, there were no research studies that examined cultural politics and policy level micro-processes that

foster the creation and maintenance of school discipline policies over a period of time. Additionally, there was no guiding framework to organize a comprehensive and rich discussion of how various aspects of school Disciplinary Ps relate and interact. The school discipline net, net-widening, and net-deepening emerged from a critical review of the literature. These concepts were substantiated and elaborated upon through an ethnographic content analysis of relevant policy documents.

The discipline net framework provides a useful way of merging the disconnected body of literature together in a comprehensive manner that allows transferrable thinking and talking between various contexts and stakeholders, including policy makers, practitioners, and scholars. How discipline nets are constructed, understood, and modified are informed by raced and gendered perspectives. This caveat acknowledges that the school discipline net framework in no way automatically will reduce the likelihood that Black males will be criminalized or punished in schools. Rather, the framework reframes the debate. It challenges the current way we argue, think, and carry out debate about the punitive effects of school discipline.

Relying on the zero tolerance framework and related discourses to develop coherent arguments for why policies are detrimental in the era of zero tolerance proves imprudent. Doing so results guarantees that policy recommendations may not move beyond the scholarly field to make significant contributions to policy makers and educators about how harmful disciplinary processes can be curbed. To accomplish this requires serious reconsideration of whether zero tolerance discourse is ideally suitable to achieving the ends of transferring academic knowledge into the education policy context.

Since substantial evidence against zero tolerance has been produced, researchers must begin to wrestle with how to move this rich body of work into the policy arena. This study offers a supplemental discourse that can accomplish this objective of moving research into the educational policy and practice context. Net-widening and net-deepening shift, alter, remove, and enhance various Disciplinary *Ps* that comprise the school discipline net. Critical discipline policy studies that supplement studies of policy effects would enrich the field and consequently students in urban school districts.

Understanding how to actually exercise agency in the process will require more studies that seek to excavate the intricacies of the policy creation process, as this research has. The shortcoming of overlooking the human factor in the policy creation, modification, and maintenance processes is that the concept of agency becomes lost. Studies of zero tolerance policy effects run the serious risk of being overly mechanistic, making conceptual leaps, overstating the power of zero tolerance and understating the power of human actors and stakeholders. The body of work risks befalling to nihilism. To be fair, the zero tolerance agenda potently guides policy creation: this argument is carried throughout this manuscript. But much is to be learned, both of perils and possibilities, from the results of this study. Just as stakeholders actively engage in resisting policy's stated procedures by employing their own practices at the school level, agency can be exercised in the places where policies are created and enacted, studied, and critiqued.

This study identifies actors, conceptual and material sites of resistance, and policies that have the potential to mitigate the ill affects of the zero tolerance policies *if* research moves beyond the parochialism of conceptual leaping and *if* research in transitioned (with protracted struggle) into the policy arena in ways that make good

sense. Conceptual leaping, as described here produces research findings that while in the end are not necessarily wrong, are indeed flawed. Restraints from making causal statement that attribute the various outcomes of zero tolerance directly to zero tolerance policies must be exercised. This is so because failing to understand process disallows agency and sites of struggle to be fully appreciated, recognized, and employed.

Finally, education research must begin to carve out a voice distinguishable enough to re-center high quality educational experiences for all students as the primary solution to school discipline and safety issues. Teachers and administrators, educational policy makers, and education researchers have developed a dependency on the discourse that may be contributing to the very problems we seek to alleviate. At the same time, possibilities for struggle and progressive potentials that have emerged as a result of the quest for alternatives to punitive discipline must not be discounted. The continuous constraints of the zero tolerance agenda are from whence new possibilities have and will continue to emerge.

Among the more comprehensive studies of school discipline policies in the era of zero tolerance, trends in the meanings of policies, practices, and laws, changing conceptualizations of particular behaviors, the changing political-economy, and cultural and social milieu are considered (Ayers, et al. 2001; Casella, 2001; Lipman, 2003; Noguera, 2003; Reyes, 2005; Robbins, 2008; Verdugo, 2002; Zweifler, R & DeBeers, J. 2002). These go far in supplementing and enhancing the work of research studies examining policy effects and outcomes and often draw insights and data from these sources. While a few studies have analyzed school related discipline texts (Skiba et al., 2004; Mendez & Knoff, 2003; Pinnell, 2001) and examined codes of student conduct,

few (Raby, 2004) have applied the methodology of content analysis as a means of examining ideological dimensions found within school discipline policies.

More attention must be paid to the creation and re-creation of official knowledge legitimated by official school discipline policies, and school discipline and safety discourse(s) at the policy level. In addition to examining trends and outcomes of school discipline policies (quantitative) and/or the discursive constructions / production of actionable student behaviors at the level of individual interaction (qualitative) (Lueng & Lee 2003; Vavrus & Cole, 2002), it is important to understand the process of policy creation, development, and modification that creates net-widening and net-deepening of school discipline in the era of zero tolerance.

Recommendations

Imagining the “Net” Under a Different Agenda

What if a school discipline net was guided by a social justice agenda, rather than the zero tolerance agenda? Discipline policies based in restorative justice principles of punishment and conceptualization of discipline as learning constituted official knowledge. How might students move through such a discipline net? How might the various disciplinary *Ps* operate differently than they do now? What rhetorical devices, discourses, and priorities would comprise such an agenda? What are some of the components of the discipline net that might require expansion or contraction?

Perhaps the personnel responsible for discipline would be quite different. Perhaps fewer security officers would roam the hallways of urban schools. Instead, community members trained in conflict mediation and de-escalation strategies would fill this void. Removal would probably remain a disciplinary strategy as it was prior to the era of zero

tolerance: but maybe the purpose of removal would be to restore and reintegrate students into the mainstream educational experience. At alternative schools, the first encounter students would have with educators might involve a discussion that the mission of the school is to ensure that students are prepared to re-enter mainstream school settings. The district-wide policy discourse would work to drive this restorative approach.

Disciplinarians would proactively wrestle with policy effects by asking “but is this decision going to risk pushing our students deeper into the discipline net? Let’s think more deeply about this before deciding.”

Although, literally, under different terms, there are groups currently engaging in efforts to bring about school discipline nets that differ significantly from those guided by a zero tolerance agenda. The Chicago-based dignity in schools campaign is one example (www.dignityinschools.org). However, such groups may be stifled in their ability to create change without allies in the academy and in the policy world who have the power to shape official knowledge of the school safety problem. Grassroots constituents do well to be armed with compelling and rigorous research that is understandable and transferrable to the educational context. Consider student groups and how they could be more effective and empowered with strong research that supports their causes and understands the constraints of the school policy context. It may be unwise to send student unions and advocacy groups into school board meetings to describe how teachers and administrators are criminalizing them because they are Black, Brown, and poor. It may make good sense to equip them with a discourse whereby they are able to explain how the school discipline net is widening and deepening in ways that adversely affect all students.

Recommendations for Further Research

School discipline policy changes have produced net-widening and net-deepening of the school discipline net. Evidence gleaned from codes of student conduct along with rising incidents supports this argument. But many of the findings of the research only establish circumstances that can produce the likelihood for school policies to be acted out in numerous ways. Studies of individual programs, policies, places, and personnel, and how they impact the overall school discipline net will shed more light on whether or not or to what extent alternatives are supplements that extend the school discipline net or improvements that strengthen the school discipline net. While this study has sought to conceptually understand the school discipline net, future research must work to deepen our understanding of the material reality of school discipline nets by exploring its various conceptual matters, Disciplinary Ps, and their relations to one another.

More needs to be known about the outcomes of and experiences of students within the specific programs cited within the codes of student conduct. Exploring these issues will provide findings that will either offer more evidence or disconfirm the findings of this study. In either case, the framework and terms used and developed in the course of this study can be utilized to guide such studies. Questions posed could be “does the SMART encourage students to get back on the mainstream education track?” or “do Community Education Partners’ education program push students deeper into the school discipline net or back towards mainstream educational experiences?”

Examining how administrators and teachers make decisions and act within the parameters of the discipline net is beyond the scope of this research project; however, pursuing such information is of the utmost importance. How do teachers and

administrators unpack whether or not new rules are alternative ways of identifying unwanted behaviors or supplementary ways of identifying behaviors? How do these understandings shape practices? Such studies would examine how data is interpreted through seeking to understand if additions of rules prohibiting items such as cutting instruments or sharp objects actually produce more incidents or if the same number of incidents occurs under the different infraction names. Moreover, other assumptions of this research project deserve critical attention. The premise that students should remain in the mainstream school environment is a case in point.

Throughout this study, I have made the case that a central goal of discipline policies should be to keep students in mainstream classroom and school environments; findings however, suggest that this assertion is problematic. The initial posture stems from the dismal state of education in alternative educational spaces and schools reported in the literature (Casella, 2004; Duncan, 2000). Almost no studies offer glowing reviews of alternative schools and educational spaces. Combined with the lack of transparency and accountability in alternative educational spaces brought about by neoliberal school reforms, this research study and by association the school discipline net framework treats alternative educational spaces as largely detrimental to students' educational experiences; however, this posture is problematic for two related reasons. First, urban school students disengagement from school is a related to curricular and pedagogical issues within mainstream classrooms and schools. If urban schools do not improve in areas of curriculum and instruction, there is not reason for student to desire to remain in mainstream educational spaces.

Secondly, as this research discovers, agency of subject, when brought into full consideration illuminates the real possibilities of crafting successful and high-quality educational spaces beyond the mainstream classroom and school. As a result of this research, it is clear that rather than upholding the brand of alternative educational spaces as problematic, disregarding the possibilities of alternative schools and spaces, stakeholders should begin to imagine and work towards establishing alternative educational spaces might serve the interests of stakeholders and students. As Erin suggests in Chapter Four, alternative education spaces such as the SMART program, may offer important redemptive opportunities for youth who fall into the discipline net.

Alternative educational spaces certainly have a role to play in strengthening school discipline nets through offering high quality academic and social learning opportunities for students who may not be best suited for mainstream educational environments. Active stakeholder participation, transparency, and focus on educational quality are important to indicators that may prove alternative education is indeed an essential component of a strong school discipline net. Further exploration of the disciplinary P of place and how alternative places fulfill a the broader educational and disciplinary philosophies of school districts would shed further light on this issue and clarify how alternative educational spaces and schools can work to improve school districts without pursuing the goal of reintegrating students into mainstream classrooms and schools.

Finally, more can be learned about the conceptual net-changes and their applicability to identifying how punitive a discipline net is. Underexplored emergent concepts were discovered during the course of the research study. Most of these involve

intra-level net-deepening and related changes (APPENDIX C). A table with the conceptual definitions can be found in the appendix of this document. To learn more about net-deepening requires an exploration of the certainty of punishment, severity of punishment, and duration of punishment. As articulated by the National Judicial Reporting Program, swiftness refers the duration of time between the misbehavior and punishment. Severity considers both the number of students forced to comply with the corrective actions and the average maximum action taken. While the methodological limitations of this research only allow the possible severity to be understood, furthering this study with research projects, as suggested here, begins the task of quantifying experiences within school discipline nets and would prove useful to adding a rich geographical dimension to the study of school discipline policies. It is through engaging in and with such new lines of inquiry that the zero tolerance era school discipline net can be altered in ways to prove more beneficial to students' educational experiences.

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APPENDIX A INTERVIEW PROTOCOL

Understanding the Zero Tolerance Era School Discipline Net:

Professional Background

1. Please describe your professional background and current position. How long have you served in your current capacity?

Discipline Discourses

2. How would you describe the state of discipline in the school district?
3. Please describe the school district's disciplinary philosophy.
4. How would characterize student behavior in the SDP schools?
5. What is deemed as appropriate discipline?
6. Who are the people responsible for ensuring discipline?

Safety Discourses

7. What does it mean to be "safe" in school?
8. Are the district's public schools safe? Why or why not. Explain.
9. Is the difference between being feeling safe and being safe? Explain.
10. Does the disciplinary philosophy of the district as described (foster) "safety?" Explain.

Historical Perspectives

11. Has the district's approach to discipline and safety changed over time? Why? Explain.
12. Are schools safer now than 1 year ago? (5 years?, 10 years?, 15 years?) Why?
13. Are discipline policies better, worse, or the same? Explain.

14. What is your evidence of whether they are better or worse?

Disciplinary Policy Decision-making

15. Describe the changes in the way discipline used to be handled versus how it is handled now.

16. What prompted these changes? What drives decision making? (key events, leadership, legislation)

17. Who are the key people involved in determining how students will be disciplined?
Has this changed over time / how was this different in the past?

18. Are the *right* people making the decisions for students? Why or why not?

Code of Student Conduct Authorship

19. Who are the key people involved in creating the policies and procedures found in codes of student conduct? (rules, consequences, language, phone numbers, scope of the code)

20. What is the process for creating / revising the code of student conduct? Who has the authority to make changes?

21. Do you believe that discipline reform in the district is successful? [end interview]

APPENDIX B

SDP INCIDENTS FIGURES (EXTENDED)

School District of Philadelphia Incidents Figures

Academic Year	1999	2002	2003	2004	2006
Public School Enrollment	n/a	185901	185507	180104	168269
Total Incidents Reported (Per 1000)	3366	5827 (3.13)	5786 (31.19)	14623 (81.19)	12666 (75.27)
Number of Offenders	3906	7232 (38.90)	6291 (33.91)	16072 (89.24)	14564 (86.55)
Incidents involving Local Law Enforcement	1965	3475 (18.69)	3604 (19.43)	2978 (16.53)	5027 (29.87)
Total Arrests	1856	2499 (13.44)	2343 (12.63)	2777 (15.42)	3253 (19.33)
Assignments to Alternative Education	21	934 (5.02)	8 (0.04)	2948 (16.37)	2539 (15.09)
Assaults on Students	912	2353 (12.66)	2100 (11.32)	2803 (15.56)	2328 (13.83)
Assaults on Students – Simple	n/a	n/a	1687 (9.09)	2442 (13.56)	1904 (11.32)
Assaults on Students – Aggravated	n/a	n/a	413 (2.23)	361 (2.00)	424 (2.52)
Fighting	n/a	n/a	n/a	1126 (6.25)	1030 (6.12)
Assaults on Staff	111	1514 (8.14)	1699 (9.16)	1718 (9.54)	1772 (10.53)
Assaults on Staff – Simple	n/a	n/a	1425 (7.68)	848 (4.71)	279 (1.66)

(Continued from page 287)

Assaults on Staff – Aggravated	n/a	n/a	274 (1.48)	870 (4.83)	1493 (8.87)
Threatening a School Official	0	0	0	1153 (6.40)	1245 (7.40)
Bullying	n/a	n/a	n/a	159 (0.88)	124 (0.74)
Bomb Threat	4	4 (0.02)	2 (0.01)	87 (0.48)	94 (0.56)
Disorderly Conduct	0	0	1 (0.01)	2704 (15.01)	1898 (11.28)
Possession of Firearm	11	10 (0.05)	12 (0.06)	8 (0.04)	12 (0.07)
Knife of Cutting Instrument	693	758 (4.08)	866 (4.67)	926 (5.14)	820 (4.87)
Possession of Knife	393	508 (2.73)	565 (3.05)	565 (3.14)	503 (2.99)
Possession of Cutting Instrument	300	250 (1.34)	301 (1.62)	361 (2.00)	317 (1.88)
Burglary	n/a	0	0	55 (0.31)	65 (0.39)
Arson	16	64 (0.34)	42 (0.23)	205 (1.14)	195 (1.16)
Vandalism	n/a	0	0	1195 (6.64)	1114 (6.62)

APPENDIX C
UNDEREXPLORED EMERGENT CONCEPTS

Underexplored Emergent Concepts: The underexplored emergent concepts were discovered during the course of the research study. Each concept is introduced accompanied by an example in the research findings sections; however, in-depth analyses of these concepts are beyond the scope of the research study.

Intra-level deepening effect	Holding student behavior constant, intra-level deepening refers to a policy change across two chronological years that increases the severity of corrective actions within a particular violation level, creating the likelihood that a student will face more difficulty getting out of trouble within a specific violation level. It remains unclear how these moves might impact the school discipline net.
Intra-level reducing effect	Holding student behavior constant, intra-level reducing refers to a policy change across two chronological years that reduces the number of rules or infractions resulting within a particular violation level in the likelihood that fewer students will be subjected to the discipline system that in that particular violation level. It remains unclear how these modifications might impact the school discipline net.
Intra-level neutralizing effect	Holding student behavior constant, intra-level neutralizing refers to a policy change across two chronological years that modifies either rules or corrective actions within a given violation level in manners that nullify other rule or corrective action changes within the violation level, creating a likelihood that students will be subjected to neither more or less rules or infractions or more or less severe corrective actions than in the previous year(s). Such modifications do not change the school discipline net.
Intra-level widening effect	Holding student behavior constant, intra-level widening refers to a policy change across two

chronological years that increases the number of rule or infractions within a particular violation level, creating the likelihood that a student will more likely be subjected to discipline within a specific violation level. It remains unclear how these modifications might impact the school discipline net.

Intra-level shallowing effect

Holding student behavior constant, intra-level shallowing refers to a policy change across two chronological years that reduces the number and/or severity of corrective actions for particular rules within a particular violation level, creating the likelihood that a student falling into the system of discipline will face less difficulty getting out of trouble within a given violation level in comparison to the previous year(s). It remains unclear how these modifications might impact the school discipline net.

Net-widening through interspersion

Holding student behavior constant, net-widening through interspersion refers to a policy change across two chronological years that increases the number of rules or infractions resulting in the likelihood that more students will be subjected to the discipline system than in the previous year(s). However, the process of interspersion involves conceptual and official rules becoming interspersed throughout several pre-existing rules, creating the illusion that no additional rules or infractions have been added when indeed they have been. Additional research is required to provide further credence to this theme.

ENDNOTES

ⁱ Net-deepening of the “social control net” is a phenomenon first introduced by Stanley Cohen in his seminal 1985 text *Visions of Social Control*. In similar fashion to this work, the text theorizes social control, punishment, and classification. The text, written in 1985, uses the net-deepening concept together with net-widening to theorize the expansion of social control systems. I only discovered his use of the net-deepening concept well into this research study (97%, when I was completing bibliography work) and after repeated efforts to disconfirm that this was the first study to employ this conceptual term. Ironically, academic research databases do not yield research that examines this particular book; Google scholar, when using a deep search with specific key works produces two pages of results that contain no more than 5 references to Stanley Cohen’s 1985 text. Based upon my research, it appears that he never fully articulated and operationalized the concept of net-deepening after this writing. It is not feature prominently in his other works. Rather net-widening and net-deepening are used metaphorically to describe criminalization via the social control net.

ⁱⁱ The lines in the figure arguably misrepresent and oversimplify how I truly conceptualize the concentric rings of the school discipline net. A more accurate visual representation would not have clearly defined lines, but blurred lines from light to dark, gradually leading from transparent and educational disciplinary spaces to the “black hole” of out-of-school disciplinary spaces.

ⁱⁱⁱ All data are based on the 2006-07 school year.

^{iv} All performance data was obtained from various reports available from the school district of Philadelphia website.

^v All data contained in this research project is based on School Safety Annual reports downloaded from the Pennsylvania Department of Education September 25, 2008.

^{vi} This is not an actual title. The official district title has been changed to protect the informant’s identity.

^{vii} The Comprehensive Student Assistance Process (CSAP) ensures systemic prevention and compliance with mandated time lines at all tiers of intervention. Schools are responsible for planning intervention for students placed at risk of failure due to academic, behavioral or attendance issues, documenting the effectiveness of planned interventions, and adjusting support as needed based student progress. Three tiers of CSAP exist: 1) Tier I: Group/Classroom Intervention - Professional Learning Communities meet to discuss strategies and interventions for groups of students in the classroom; 2) Tier II: Individualized Student Intervention - certified core teams work with guardians and students to develop an intervention plan that supports students experiencing barriers to learning (academic, attendance, behavior) and links the student and family to needed school and community resources; and 3) Tier III: Evaluation for

Change in Placement (Disciplinary or Educational) - Schools consider changes in educational placement for students who are not making significant academic progress or who have committed a level II code of conduct violation.

^{viii} The SMART (Saturday Morning Alternative Reach and Teach) Program is a two- to four-week Saturday program for K-12 students who commit Level I violations of the Code of Student Conduct. The parents of enrolled students must attend two to four of the Saturday workshops, depending on the grade of the student. All workshops focus on character development, conflict resolution decision-making, familial relationships, peer pressure and anti-social behavior. Students who are not enrolled but commit a Level I violation while the SMART program is operating can serve their detention at the SMART site. (retrieved January 8, 2009 from School District of Philadelphia Website: <http://webgui.phila.k12.pa.us/offices/t/otae/programs--services/smart-program>.)

^{ix} Unless stated otherwise, all examples of rule changes are drawn from corrective interventions and responses for grades 5-12.

^x The presence of rule specific disciplinary responses requires a new citation system based on both the rule number and corrective action number (eg. Rule 7, C.A. b., COSC 2004-05) to facilitate accurate identification of specific corrective actions within the Level I category.

^{xi} This more ambitious and detailed content analysis procedure was not pursued during the course of the study because this finding was unexpected; however, to remedy this unexpected methodological shortcoming, I analyze “Prohibition Destruction / Theft of Property” at the rule level and refer back to “Prohibition of Offensive Language” in more detail to provide an example of what research at this level may reveal.

^{xii} Scholars who write about neoliberalism use Gramsci’s notion of “good sense” to reference a construction of consent that emerges from critical engagement with a set of ideas and issues. Common sense on the other hand is an established consent that emerges from demagoguery, coercion, and manipulation of that exploits the traditions, cultures, and beliefs (evoking Religion, evoking the “right” to bear arms National Rifle Association, etc.) of people to make one set of ideas appear less or more legitimate another set of beliefs. See the various works of Harvey for strong application of how good sense and common sense are applied to discussion of neoliberalist hegemony.