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The fight to be seen: Black girls and discipline

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Abstract

The impact of zero-tolerance, exclusionary discipline, and the school-to-prison pipeline has become increasingly present in research in recent years. Studies centered around zero-tolerance, exclusion, and the school-to-prison pipeline have made the focus of the study boys of color, specifically Black boys. These studies have contributed to the amount of awareness that schools, parents, and the public have about the effects of the unfair punishment practices. However, Black girls have been invisible, criminalized in educational settings, and are at a great risk of encountering the criminal justice system. Over the recent decades, Black girls experience exclusionary discipline almost six times more than White girls and almost seventy percent more than boys (Muñiz, 2021). The aim of this research is to discuss the history behind punitive practices within the school system and put an emphasis on this issue surrounding the effects of disciplinary actions against Black girls in school. The primary population targeted by these punitive practices are students of color.

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THE FIGHT TO BE SEEN: BLACK GIRLS AND DISCIPLINE

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ABSTRACT

The impact of zero-tolerance, exclusionary discipline, and the school-to-prison pipeline has become increasingly present in research in recent years. Studies centered around zero-tolerance, exclusion, and the school-to-prison pipeline have made the focus of the study boys of color, specifically Black boys. These studies have contributed to the amount of awareness that schools, parents, and the public have about the effects of the unfair punishment practices. However, Black girls have been invisible, criminalized in educational settings, and are at a great risk of encountering the criminal justice system. Over the recent decades, Black girls experience exclusionary discipline almost six times more than White girls and almost seventy percent more than boys (Muñiz, 2021). The aim of this research is to discuss the history behind punitive practices within the school system and put an emphasis on this issue surrounding the effects of disciplinary actions against Black girls in school. The primary population targeted by these punitive practices are students of color.

LITERATURE REVIEW

The History of Zero – Tolerance and Exclusionary Discipline

The increased use of exclusionary discipline in the educational system stems from zero-tolerance policies. Curran (2016) defined zero-tolerance policies as policies that state specific consequences of committing violent offenses on school grounds no matter the situation. Violent offenses include fighting, bringing weapons, and so on. Zero-tolerance policies did not begin in the educational system. According to Welch and Payne (2018), the first time the approach of zero tolerance was used it pertained to drug crimes in the 1980s. The idea zero tolerance was that “any violation of a drug law” would have punishments, no matter of the “current or past circumstances” and no “judicial discretion” allowed. Skiba (2014), states that the use of zero-tolerance policies in schools all over the United States increased in the 1990s due to a country wide fear of incidents involving weapons in classrooms and on school grounds. There had been several school shooting incidents in the 1990s. In 1990, the Gun Free School Zones Act (GFSZA) was introduced to congress as a bill that would criminally penalize anyone for the possession and/or discharge of a gun in a school zone, with special circumstances specified in which one would not be penalized (S.2070 - gun-free school zones act of 1990 101st Congress (1989-1990)).

A case in March of 1992, questioned the constitutionality of the GFSZA. In *United States v Lopez*, an 18-year-old Alfonso Lopez Jr., brought a handgun to school grounds in Texas (Anderson, 2022). The state originally dismissed charges however, it was picked up as a federal case and his attorneys argued that Congress overstepped with their authority by allowing the enactment of the GFSZA of 1990 (2022). The decision was officially decided in April of 1995, and the Supreme Court ruled that the act was unconstitutional (2022). A few years later, to push

the agenda of zero tolerance, the Gun Free Schools Act (GFSA) became a branch of the Improving America's Schools Act (IASA) of 1994 (Glavin, 2016). The GFSA, signed by former President Bill Clinton, requires that states who receive federal funding expel any student who had brought a weapon on school grounds, for one year or more (Glavin, 2016). The federal government offered incentives and consequences for schools who chose whether to comply with the federal policies, through the IASA of 1994 (Welch & Payne, 2018).

While zero-tolerance policies did reduce the number of violent incidents, it did not completely rid schools of these incidents. After the Columbine High School shooting in 1999, schools implemented zero-tolerance policies in full force. According to Stahl (2016), the 1999 high school shooting impacted the extremity of zero-tolerance policies, therefore having a negative impact on school environments and how students were being treated. "School security increased significantly, and zero-tolerance policies broadened, resulting in a limitation on students' rights in the school system" (Stahl, 2016, p. 11). The belief behind zero-tolerance policies – a belief that influences exclusionary discipline – is that strict rules and severe punishment will address violent disruptive behaviors in schools and motivate other students to do the opposite (Skiba, 2014).

To enforce many policies under the umbrella of zero tolerance, schools used various forms of punishment, including exclusionary discipline. This type of discipline takes students away from their learning environment. The two most frequent forms of exclusionary discipline are suspensions and expulsions (Exclusionary Discipline: School Discipline Support Initiative, n.d.). Under the GFSA of 1994, along with requiring expulsions of at least one year for student who bring weapons on school property, schools were also required to develop plans and procedures for referrals to the juvenile/criminal justice system (Glavin, 2016). Over time, as

schools adopted zero tolerance for weapons on school grounds, these procedures and removal processes were adapted to cover various forms of violence, drugs, and disruptive behaviors. Into the year 2000, schools across the country had adapted zero tolerance to be used in all types of situations that occur in school, such as dress code violations, swearing, students being late and/or absent, etc. (Muñiz, 2021). For behaviors that were once corrected within the classroom or a simple talk with the principal, were now being managed by school resource officers (SROs) and out of school discipline. The main job of SROs is preventing criminal activity and ensuring students' safety. This increased law enforcement presence has caused an increase of arrests and referrals to juvenile courts (American University, 2021).

The School-to-Prison Pipeline

The general consensus amongst researchers is that the school-to-prison pipeline (STPP) is a phenomenon characterized as a set of policies and practices that push students out of school and into the criminal justice system. Zero-tolerance policies, exclusionary discipline procedures and increased presence of law enforcement, have aided in the formation of the phenomenon called the school-to-prison pipeline.

In a review, Mallet (2016) investigated the school-to-prison pipeline, the school system, the juvenile court system and how effective they are in creating student success and a safe environment. In schools nationwide, these harsh policies and procedures are a part of students' everyday schooling. Even though most of the children that attend schools with these punitive practices, cause little to no risk to the school learning environment (2016). Meaning that they are not a true risk to themselves nor other students. Within the review, it was found that zero tolerance has had the opposite effect on students and the learning environment that many policy makers, school administrators, and teachers thought these policies would have. According to

Mallet (2016), “academic achievement has declined, school and student body cohesion has become more fragile, and satisfaction with the school and its governance structure has worsened” (p. 21). In conclusion, zero-tolerance policies and the school-to-prison pipeline is counterintuitive to its said purpose.

Another study conducted by Cuellar and Markowitz (2015) found that punitive practices can have a negative impact on a student’s performance in school. This includes poor attendance, grades, and loss of opportunities, which has lasting impacts into adulthood. At the end of their study, the researchers found that there was a direct relationship between out-of-school suspensions and increased referrals to the juvenile justice system (2015). Specifically, when a student received an out-of-school suspension during the school week, it had a significant correlation to the probability of offense, twice as much (2015). In essence, as youth are out in their communities, those same behaviors are under-supervised and now have greater chances to be involved in criminal activity. The results of this study also showed that African American children and young adults were impacted on a larger scale, than Asian and Hispanic children and young adults (2015).

In a later study, Mallet (2017), explored the impact of the school-to-prison pipeline on children and young adults. He started with describing the physical environment of various impoverished schools in which many children and young people attend. While it is established that zero tolerance and exclusion exist in many school districts, specific security systems such as cameras, SROs, metal detectors, and others are mostly “found in urban, multicultural, inner-city environments” (Mallet, 2017, p. 564). Mallet also discussed the risk factors of both children and young adults that would cause their interaction with the school-to-prison pipeline. These risk factors include poverty, abuse, neglect, and individual risks such as disabilities (2017). The study

continued to discuss the different populations that are affected by these factors - such as familial rejection, poverty, harassment and so on- and how these combined with the lack of school support, increases that student's chances of entering the juvenile justice system. The current justice system does not have the proper tools and skills to address non-violent behaviors (American University, 2021). Nor is it equipped with proper procedures for those with disabilities. Mallet (2017) found that the school-to-prison pipeline can and should be eradicated, and it will not cause the safety of the school or surrounding community to decline.

On a final note, Novak and Fagan (2021) examined the linkage amongst exclusionary discipline and repeat offending among youth, and to also enhance comprehension of the school-to-prison pipeline. The researchers based their hypothesis on previous studies and the life course theory developed by Robert Sampson and John Laub. Novak and Fagan (2021) hypothesized that there would be a direct link amongst suspensions, expulsions, and an increase in repeat offending in youth, and that the age at which the child was first experienced exclusionary discipline has an effect on how likely that child is to reoffend. Collecting data from a longitudinal study over 10 years complied participants from the ages of fourteen to nineteen years old. Data was collected and compiled in sections over the period, and outliers were accounted for throughout data collection (2021). Through the various control and dependent variables, the results of the study were found to align with previous studies. In brief, the study illustrates the effects of exclusionary discipline on future life outcomes and the amount of contact adolescents will have the criminal justice system.

Racial Disparities in Educational Discipline

The entire student population of a school can and is affected by the zero -tolerance procedures. Various schools across the country implemented these policies with the thought that

zero-tolerance was the best way to ensure safety for students, staff, and teachers. As reported by Amos (2021), “Black students are more likely than White students to be referred for disciplinary action for subjective infractions such as disruption or defiance” (para. 1). This was in comparison to being referred for disciplinary action for impartial violations. Why is that students of color, specifically Black students are disproportionately impacted by such?

Carter et al. (2016), discussed how the history of prejudice, the mentality of ‘I don’t see color’ and micro-aggressions, continue to feed into the racial disparities seen in disciplinary action in schools. This study highlights the importance of understanding that the racial disparities throughout the educational system have not just appeared, but rather come from the long tense racial climate in the United States. The aim of their study was to discuss how the concept this country has about race informs exclusion and harsh discipline practices and the reason it is challenging to address racial issues and give suggestions on how to discuss this with others (Carter et al., 2016). The first section of the study discusses the origins of the concept of race. The first signs of inequality began at the violent oppression of Native people and the slaves that were brought to this country (Carter et al., 2016). The stereotypes that are still harmful today stemmed from mistreatment of non-Whites.

One of the most harmful stereotypes are those that dehumanized and criminalized Black people. The authors discuss the stereotype of the “dangerous Black male” (Carter et al., 2016, p. 210). After the reconstruction era in the United States, the *Black buck* was used to describe Black men seen by society as ‘violent’ and ‘mean’. Carter et al. (2016) went back further than the post reconstruction era and found that even though it was uncommon for a slave to sexually harm a White woman, slave masters concocted this story and it spread all around. The fear this sparked spread so quickly, that a law was passed to kill and/or castrate a Black man, should he try to

sexually harm a White woman in any way (Carter et al., 2016). This fear killed thousands of Black men throughout history repeatedly. Black women were harmed and still are by racial stereotypes today as well. Slave masters degraded their bodies through sexual acts and broke up their families (Carter et al., 2016). As time went on, stereotypes, such as *Jezebel*, *Sapphire* and *Mammy*, plague Black women in their everyday lives.

The next section of the study described the impact that segregation and the social climate had on influencing the stereotypes of people of color (Carter et al., 2016). The takeaway from this section is that “physical and psychological separation by race creates very real boundaries in lived experience that make us unable to learn from and understand each other” (Carter et al., 2016, p. 214). A school setting is where adults and children have interacted with other races outside of their own the most, and yet no educational system has been truly racially cohesive to this day.

The last few sections of this study, discuss bias and microaggressions. According to Carter et al. (2016), implicit bias is a deeply rooted attitude or belief that is in the unconscious part of the brain, and may even be the opposite of the person’s conscious beliefs. Implicit bias, as highlighted in the study, does not directly link to external prejudice acts. However, both types of bias have a major role in discrimination. Research has shown that schools with a higher population of students are more likely to use punitive practices, no matter of the entire demographic of the school and the gravity of the violation, bias is a significant factor (Carter et al. 2016). Microaggressions are present as well. Whether it’s implying that students of color are not as smart or will not be as successful as their White counterparts, and in discipline, the intense overreaction to a student of color’s actions (2016). The aim of discussing race is not to just talk then do nothing. It’s to discuss, reflect, and then change the negative patterns that are impacting

the youth. Overall, it is important to engage with the people around you and have conversations about what race is and how it has and still impacts our society on various levels.

A study published by Riddle and Sinclair (2019), stated that there is substantial evidence that the behaviors displayed by Black students are seen as “more problematic and are punished more harshly” in comparison to their White counterparts (p. 8255). This study’s aim was to examine the discipline gap between White and Black students over various types of disciplinary actions. The types of disciplinary action that was examined were expulsions, school arrests, in-school suspensions, out-of-school suspensions, and law enforcement referrals. To investigate this gap, the implicit and explicit bias was measured in each county (Riddle & Sinclair, 2019). The results of the study showed that across the different types of disciplinary actions, the levels of bias in the counties surrounding the schools, impacted how much students experienced harsh discipline. The racial bias – explicit bias especially - has a significant influence on legislation, policies, and routines of the schools within the community (Riddle & Sinclair, 2019). Although, implicit bias still had an impact, it was not as large as the impact of explicit bias in this study.

The Invisible Criminals – Black Girls

Most of the literature dedicated to the topic of zero-tolerance, school-to-prison pipeline, and the racial disparities within these systems, focused on the experience of boys of color, specifically Black boys. Within the past decade, there has been more studies conducted that specifically focus on the experience of Black girls. Though, boys experience disciplines the most in a school environment, Black girls are experiencing punitive discipline at high and concerning rates.

Wun (2018) states that the reasons for the racial inequalities in school discipline include macro and micro level racial climates and implicit biases within the classroom setting. This

means that the reasons for disparities are influenced by the community in which the school district is in, the resources a school has access to, and comes down to the perception teachers and educational staff/faculty have of their students. Wun (2018) found that Black girls were being subjected to punitive practices for different reasons than Black boys. For instance, “girls were more likely to be disciplined for failing to meet dominant cis-gendered expectations of femininity” (Wun, 2018, p. 424). Black girls are more likely to face disciplinary action for non-violent behaviors, those behaviors that are perceived as disrespectful by teachers, staff, and administrators. Despite the reasons for punishment being different for Black girls and non-Black girls of color, than boys, research shows that they are increasingly becoming high risk for contact with the criminal justice system (Wun, 2018). For this study, interviews and observations at a high school in California, were conducted. From the population, the data comes from six girls who are of color and that have/had disciplinary action against them on their school records (2018). In the conclusion of the study, Wun (2018) described how the experiences and violence these girls experienced outside of school angers them and is perceived at their school as them being the problem. Trauma and hardship experienced outside of school, is difficult to process and unfortunately, these outbursts can and do happen at school. Based on these outside experiences - poverty, food insecurity, gender-based violence - the learned behaviors that have been a wall of protection for these girls, is seen as defiance and disrespectful, and girls of color are continually being criminalized instead of being given additional support (Wun, 2018).

In this next study, Annamma et al. (2019), used the critical race theory and critical race feminism to investigate how harsh discipline practices increase the probability of Black girls’ coming into contact with the law enforcement. The study was conducted in a Denver school district that is considered an urban neighborhood (Annamma et al., 2019). Within the study, the

authors explain how until the last few years, Black girls have not been the subject of much literature surrounding school discipline, even though they experience more disciplinary action than most boys in the country. Annamma et al. (2019) reports that Black girls are subjected to disciplinary action six times as much as White girls and Black girls have suspension rates almost seventy percent higher than boys. Black girls are more likely to be punished for subjective violations and less for objective violations. The probability of suspension is also linked to the higher risk of incarceration for Black girls as well (Annamma et al., 2019).

In the current study, Annamma et al. (2019), investigated the racial disparities in referrals and if Black girls are overrepresented in exclusionary discipline outcomes. The researchers also examined patterns between the disciplinary outcome data and other identifying factors (2019). The researchers looked at data of all girls who had/have been disciplined from the beginning of their school journey to the end and categorized the reasons for which they received an office referral (2019). Annamma et al., found that in the entire district, Black girls were twenty-nine percent of the disciplined sample, but they are only fifteen percent of the population of girls in the district (2019). Black girls were overrepresented based on the perception of their behavior by educational staff. The researchers also looked at other factors such as English proficiency, who was eligible for reduced and free lunch, those with a disability, and those experiencing homelessness (Annamma et al., 2019). The researchers defined each section of reasons for office referrals based on the discipline handbook, which they were directed to by the school district (2019). After analyzing the reasons for office referrals, the researchers found, as with several studies, that Black girls were disciplined less for school violations, such as alcohol on the premise. As previous studies have shown, Black students, especially Black girls, are disciplined more harshly for discriminatory reasons. Overall, the study argues that the reason the Black girls

are punished more harshly than any of their other peers can be linked to stereotypes and misconceptions about their behavior and a lack of cultural understanding (2019).

According to Addington (2021), research shows that Black girls are given school suspensions, specifically out-of-school suspensions and expulsions at an immoderately rate in comparison to non-Black girls of color, White girls, and most boys. Applying intersectionality to the study, the author uses this theory to further understand the school discipline practices and the disparities within. Addington (2021) discussed the biased perception of the behaviors of a Black girl. For instance, a teacher may perceive a Black girl's enthusiasm for aggressive and disrespectful behavior, when really that is how she may engage in conversation on a regular basis. Black girls are punished for the trauma they experience rather than being shown any empathy. Addington (2021), states that "researchers have identified the role of trauma as an underlying cause for Black girls' behavior that leads to disciplinary infractions such as fighting" (p. 4). Black girls experience some form of violence in their day-to-day, and the behaviors that are displayed are often the ways that they process and manage feelings. Addington (2021) found that other researchers proposed creating spaces for Black girls and educating teachers and school districts on implicit biases, cultural awareness, and empathy. This is an example of alternatives to punitive practices. The aim of the entire study was to bring more awareness to the disproportionate rate at which Black girls are being punished and give suggestions to future research and policies (Addington, 2021).

DISCUSSION

Alternatives to Exclusionary Discipline

This review has discussed the implications of harsh discipline practices in school. It is important to discuss the alternatives to these practices that researchers have proposed and some school districts in the country have implemented. McNeill et al. (2016) found that exclusionary discipline is contradictory to the said purpose of such practices, which is to prevent the likelihood of misbehaving. Within the study, the researchers discovered that Positive Behavior Intervention and Support (PBIS) and restorative justice (RJ) are possible alternatives to exclusionary disciplinary action (2016). According to Derby (2021), restorative justice is based on a set of principles and values that allows for the rehabilitation of prisoners and victims. The idea is that justice does not just penalize the perpetrator, but also promotes healing and connection building. McNeill et al. (2016), state that schools who have implemented this empathetic mindset into their daily routines have used exclusionary discipline less and have seen rates of behavioral issues, such as tardiness and lack of attendance, lower. For the program to be used with student situations, all students involved in the situation and the situation itself is evaluated, then mediation occurs, and a compromise is reached, lastly another mediation meeting is scheduled (2016). According to the Center on Positive Behavioral Interventions and Support (PBIS, 2022), this system is built of five factors and three levels to improve the school environment for both students and teachers. McNeill et al. (2016), describe how this framework allows schools to set regulations for the school environment at three different levels “school wide, targeted, and individual systems” to best assist students and teachers (p. 174). Overall, this system’s intentions are to promote positive learning environments. It has also shown to lower the

number of referrals and other disciplinary actions. Peer mediation in conjunction with these two alternative methods has aided in the decline in the use of punitive practices (2016).

A study conducted by Weaver and Swank (2020), analyze restorative justice being implemented into a middle school environment, grades sixth through eighth. In this case, RJ is being used as an alternative disciplinary action. This middle school has a population of one thousand students and almost sixty percent of those students self-identified as part of a minority group (2020). Weaver and Swank collected their data through three different techniques, observations, analysis of the paperwork used for the RJ program and interviews with students and school administrators (2020). Through the researcher's data collection, they found that various patterns of attitudes, discipline practices and changes emerged. Within these patterns, the researchers found that many teachers and school administrators were disgruntled with the punitive practices prior to RJ being implemented in the school (2020). When RJ is implemented into classroom settings, it improves the learning environment greatly. The next finding of the study was that RJ helped with the connection between the adults and students in the school setting. The last two themes that were discovered in the current study speak to how RJ impacted the types of repercussions and expectations that occurred in the school. Stressing the importance of correcting the behavior rather than the punishment allowed for students to think about their behavior in the future and being mindful of the impact of their actions. Overall, the study found that using restorative justice as a form of discipline in the school setting, effective to a positive, productive, and reformative environment (2020).

CONCLUSION

This aim of this review was to explore the history of zero tolerance, exclusionary practices, the school-to-prison pipeline, and their impact on the educational experience of Black girls. In the research for this review, it was found that harsh discipline practices are counterintuitive to student success, school culture and the futures of students. It was also found that there are alternatives to punitive discipline such as the restorative justice and PBIS approaches. These approaches encourage accountability, reconciliation, and productivity in the learning environment.

LIMITATIONS

In conducting research for this review, the researcher found some limitations to the literature. One is that majority of the studies conducted in the last couple of decades do not include those voices of the population it is written about. In multiple studies, the researchers discussed the effects of harsh discipline, racial biases, and physical school setting on students' physical, mental, and emotional health. However, very few of these studies, gained perspective from the students themselves. Another limitation was discussion of impacting factors. Racial biases play a crucial role in various institutions in society and how minorities are treated. What the research rarely mentions are other bias attitudes towards other attributes such as gender or sexuality. The amount of research specifically concerning Black girls is limited as well. Studies dedicated to punitive practices and Black girls has only surfaced in the last decade. The idea of this review is to bring awareness to this issue for future research, Lastly, there is limited research on alternative practices on a large scale. The Weaver and Swank (2020) study highlights this issue, the restorative justice program was not adapted in the entire school, just a small section.

Though it showed a significant improvement in the school climate, more studies done over a longer period of time would have to be conducted.

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