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## Demands for “Sisterly” Love: Exploring the Hyperpenalization of Black Girls in the School District of Philadelphia

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# Demands for “Sisterly” Love: Exploring the Hyperpenalization of Black Girls in the School District of Philadelphia

## Abstract

An immense amount of research, memos, and scholarship has surfaced in the last decade considering the school-to-prison pipeline and Black boys’ involuntary participation in it. Various education scholars have presented data emphasizing how Black male students are disproportionately punished—notably in ways that negatively impact their prospects for educational attainment, social mobility, and long-term empowerment. Many, however, fail to consider their close counterparts: Black girls. This thesis expands upon the Crenshaw, Ocen, and Nanda (2015) report to see if Black girls are also disproportionately penalized in Philadelphia public schools within the School District of Philadelphia (SDP) at higher rates relative to female students of other races. The thesis also employs relative risk ratios to determine, through an intra-gender analysis between Black and white students, if Black girls are disproportionately penalized at higher rates relative to Black boys.

The aforementioned scholars created a report on school discipline within Boston and New York City Public Schools. Their intra-gender analyses found that Black girls had a statistically greater risk of experiencing suspension and expulsion relative to female students of other races. This paper applies quantitative research methods through disciplinary data collection from the Civil Rights Data Collection Tool via the Department of Education. Additionally, the project weaves together education policy and political theory to investigate (1) how discourses of power, marginality, and intersectionality inform hyperpenalization; and (2) existing alternatives to current punitive paradigmatic practices.

## Keywords

Intersectionality, Black girls, education policy, zero tolerance, Political Science, school-to-prison pipeline, school-to-confinement pathways, Kimberlé Crenshaw, Danielle Miles-Langaigne, Nancy Hirschmann, school punishment

## Disciplines

American Politics | Civil Rights and Discrimination | Criminology and Criminal Justice | Education Law | Gender and Sexuality | Inequality and Stratification | Law and Gender | Law and Race | Other Education | Political Theory | Prison Education and Reentry | Race and Ethnicity | Secondary Education | Social and Philosophical Foundations of Education | Social Justice

**Demands for “Sisterly” Love: Exploring the Hyperpenalization of Black Girls in the School  
District of Philadelphia**

Danielle Miles-Languaine

Advised by Dr. Nancy Hirschmann

Senior Honors Thesis in Political Science

University of Pennsylvania

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**Abstract**

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**Disciplines**

Political Science, Education Policy, Sociology

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To Mrs. Milton: the first educator in my life who undoubtedly believed in me. Although many succeeded her, she was the first to show me that a teacher's love can truly change a student's life.

To Nana and Daddy: it is an honor to carry bits of you both in me and to be able to share them with the world. Thank you for never giving up on me—even through the rough times. I love you.

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Creating this thesis during a global pandemic proved to be one of the most challenging tasks that I have taken on during my undergraduate career. Because of this, I want to emphasize how much of a collective project this was. Professors like Dr. Quinn, Dr. Doherty-Sil, Professor Marc Meredith, and countless others directed me to resources when I was faced with unexpected obstacles. Friends and loved ones checked in, offered words of encouragement, and lent their ears when I felt most overwhelmed. My students in Makuu Summer Impact and Ase Academy constantly reinstilled within me a sense of purpose—their inclination toward curiosity, critical thinking, and empathy repeatedly energized me when I felt depleted.

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“I came to theory because I was hurting—the pain within me was so intense that I could not go on living. I came to theory desperate, wanting to comprehend—to grasp what was happening around and within me. Most importantly, I wanted to make the hurt go away. I saw in theory then a location for healing.”

bell hooks

## **I: Introduction**

Criminal justice reform advocate Bryan Stevenson once said: “Each of us is more than the worst thing we’ve ever done.” If this is true, why are children globally subjected to unforgiving punitive paradigms within schools? My investment in education policy reform concerning exclusionary disciplinary policies stems from personal experience. I was one of countless Black and Brown children within the United States’ public education system that were deemed “defiant.” From age five to twelve, I was suspended, physically dragged out of class, condemned for how I displayed my opinions, and looked down upon by my teachers. My “defiance” and misbehavior stemmed from anger concerning my parents’ separation and my inability to vocalize frustration over the housing insecurity that my family experienced. These educational occurrences influenced my search to uncover (1) why selective exclusion practices exist and (2) how to ensure they do not continue.

An immense amount of research, memos, and scholarship have surfaced in the last decade considering the school-to-prison pipeline and Black boys’ involuntary participation in it. Various education scholars have presented data emphasizing how Black boys in schools are consistently disproportionately penalized—notably in ways that negatively impact their chances of educational attainment, social mobility, and long-term empowerment. Many, however, fail to consider their close counterparts: Black *girls*. Therefore, this thesis addresses how a lack of an intersectional analysis, considering both gender and race simultaneously, results in the neglect of Black girls and their funneling into school-to-confinement pathways. When one considers the multiple marginalities Black girls experience through an intersectional framework, one can better comprehend the multi-dimensional complexities of power—rather than power acting as a force all on its own. Categorizing all Black students as experiencing the same types and degrees of



punishment neglects Black girls' specific racist experiences. An intersectional analysis signals that racism as a system of oppression is compounded by Black female students' gender, producing a unique disciplinary experience from Black boys.

This thesis hypothesizes that, in contrast to Black boys, Black female students within the School District of Philadelphia are statistically more likely to be punished upon conducting an intra-gender analysis between Black and white students. Additionally, the project hypothesizes that Black girls are disproportionately penalized at higher rates than their female peers of different races (most notably in the realm of suspension and expulsion). This thesis expands upon Crenshaw, Ocen, and Nanda's "Black Girls Matter: Pushed Out, Overpoliced And Underprotected" (2015) report to investigate if Black girls are also disproportionately penalized in Philadelphia public schools within the School District of Philadelphia (SDP) at higher rates relative to (1) other female students of different races and (2) their Black male counterparts. The original report focused on Boston Public Schools and New York City Public Schools during the 2011-2012 school year (SY). Therefore, this thesis's analysis of the SDP's disciplinary practices serves as a comparative case study that continues to build upon the findings from Boston and New York. Further, the project employs quantitative research methods through disciplinary data collection from the Civil Rights Data Collection Tool (CRDCT) via the Department of Education. The biennial survey gathers data from all U.S. public local education agencies and schools and is required by the U.S. Department of Education's Office of Civil Rights.

Moreover, I collected percentage values under five disciplinary events: in-school suspension, out-of-school suspension, referral to law enforcement, expulsion, and school-related arrests. I analyzed data for the above punitive events across four SYs (2011, 2013, 2015, and 2017) for the following racial groups: "Black or African-American," "Hispanic," "White," and

“American Indian or Alaska Native.” Under each racial marker, I also disaggregated the data by gender, accounting for both girls and boys within the racial categories. I then focused primarily on comparing disciplinary rates between Black and white male students, and Black and white female students—similar to Crenshaw, Ocen, and Nanda’s report. Utilizing relative risk ratios, I was able to engage in this intra-gender analysis between Black and white students to determine how much more likely Black boys and girls are to experience a given disciplinary event relative to white students of the same gender.

While this thesis defines *Black girls* as Black, cis-gender young women within the School District of Philadelphia, it recognizes the need for research that considers how gender fluidity may further marginalize Black youth. Although this concept is out of this thesis’s scope, I recognize the importance of analyzing it further. Therefore, I encourage future researchers to consider its influence on the topic of punitive paradigms within schools.

## **II: *Discourses of Power, Marginality, and Intersectionality in Political Theory***

Before considering data breakdowns, it is critical to discuss the multi-disciplinary theories that influence punitive practices within schools—specifically, discourses concerning power, marginality, and intersectionality theory.

Harold D. Lasswell (1950) defined *politics* as who gets what, when, and how while recognizing that the study of politics itself is one of considering “influence and the influential” (Lasswell 1950, 3). Politics does not solely occur within conventional government bodies such as state legislatures or between the three branches. It also exists within municipal communities or interpersonal relationships—because wherever influence and influential actors manifest themselves, power is being enacted. There exists a rich discourse amongst political theorists concerning how power is generated, who holds it, and how it is used (or, in some cases, weaponized).

Peter Bachrach and Morton S. Baratz (1962) present the commonly held understanding of power by political scientists, notably concerning sociologists. Bachrach and Baratz emphasize that while sociologists conceive power as highly centralized, political scientists argue that power is “widely diffused” (Bachrach & Baratz 1962, 947). While the latter understand power to be about one’s access and participation in decision-making processes, there also exists the “restrictive face of power” (Bachrach & Baratz 1962, 952). An actor’s ability to intentionally or unconsciously influence societal values and political institutions serves as a form of power. While this actor is not directly engaging in decision-making, the ability to limit public discourse in ways that make public disagreement difficult *is* a form of control. Thus, the scholars understand power to exist in two ways: explicit decision-making power and implicit

decision-making power through constraining discourse, social structures, or acceptable behavior outlined by actor *A* for actor *B*.

The authors recognize that power is exercised when *A* makes decisions for *B*. Nonetheless, political theorists acknowledge the exercise of power when *A* institutionalizes social and political values that make public input difficult. Thus, power is also systematically limiting the scope of challenges to those that are less harmful to *A*'s preferences at the expense of *B*'s potential desires. In the same way, limiting disciplinary debates within schools simply to conversations about the dangers of unchecked deviance, or the threat of collapse if policies are too lenient, prevents discourses from expanding. Rather than considering potential biases present amongst teachers or inherent racism present within policing practices, public discourse imagines punishment within the confines of already-existing, reified systems. Additionally, Bachrach and Baratz emphasize a need to prioritize analyzing the omnipresent "mobilization of bias" present within a given structure or institution under scrutiny (Bachrach & Baratz 1962, 952).

The authors define the "mobilization of bias" in a given community as "the dominant values and the political myths, rituals, and institutions which tend to favor the vested interests of one or more groups, relative to others" (Bachrach & Baratz 1962, 950). When considering Black girls and hyperpenalization, this presents itself as these young women being excluded from class for not aligning with white, patriarchal conceptions of femininity. Normative notions of beauty and appropriate feminine behavior's prioritization of white supremacist ideologies attribute the potential of achieving femininity primarily to white women.

Socially accepted presentations of femininity, both regarding one's physical appearance and behavior, juxtapose whiteness and Blackness within a duality. Therefore, as noted by Collins (2004), "Black women, by definition, cannot achieve the idealized feminine ideal because the

fact of Blackness excludes them” (Collins 2004, 199). If a form of power, then, is a student’s ability to simultaneously conform to whiteness and hegemonic conceptions of being a woman (also rooted in whiteness), Black girls are rendered powerless—or at least have their power stripped away to a greater degree.

Lukes (2005), however, challenged Bachrach and Baratz by arguing that there exists an unconsidered *third* face of power. While Bachrach and Baratz ask, “how does implicit or explicit restriction within decision-making processes influence power?”, Lukes asks “how do powerful actors implicitly or explicitly *force* compliance from those that they dominate?” (Swartz 2007, 104). Lukes defines *domination* as “the capacity to secure compliance to domination through the shaping of beliefs and desires, by imposing internal constraints under historically changing circumstances” (Lukes 2005, 143-144). According to Lukes, possessing the *potential* to dominate does not mean one makes this practice an actuality. While domination may remain latent for a given actor, Lukes believes that all social actors hold conflicting interests that typically stem from one’s compounding identities.

Further, one’s race, gender, or class may serve as the foundation through which an actor’s unique interests are created (Swartz 2007, 105). Ultimately, Lukes affirms the potential of domination being a “productive and transformative force”—contrary to the negative lens through which “power over” is dissected through. While Swartz (2007) does list the teacher-student relationship as an example of a type of positive domination, the conflicting interests possessed by a white teacher and their Black student could result in a detrimental contest for power.

In conjunction with the previous conceptions of power, Digeser’s “The Fourth Face of Power” (1992) analyzes both the value and points of contention that Michel Foucault’s “fourth face of power” (or “power<sub>4</sub>”) concept offers to political science. Digeser considers this idea

within the context of the debate regarding power that has predominated political science scholarship. He details the first three faces of power, the first two of which are known as the “liberal conception of power” and the third identified as the “radical conception of power” (Digeser 1992, 979). Digeser argues that power<sub>4</sub> differs from the first three faces of power in that it “postulates that subjectivity or individuality is not biologically given” (Digeser 1992, 980). Instead, subjects are socially constructed, and their “formation can be historically described” (Digeser 1992, 980).

Thus, to Lukes, Foucault might argue that actor *A*'s identification loci do not generate the specific interests that guide how they exert power over *B*. Instead, socially constructed notions of *A*'s identity, such as race or ability, are rooted in historically institutionalized values, beliefs, and practices that *A* is involuntarily acting out. In this social creation of subjects, Digeser argues that one's capacity to truly serve as an agent who possesses desires, goals, and freedom of action may not fully be our own (Digeser 1992, 980).

In turn, a Foucaultian conception of power debunks the notion that a teacher forcing a Black or Brown student out of the classroom is driven solely by the teacher's intentions. Per contra, the teacher may interpret the student's culturally-relevant yet socially-constructed behavior as inappropriate because oppressive systems like racism have historically necessitated this response. Additionally, Black or Brown students' experiences of coercion may disable their agency. These experiences might limit their potential for success within the classroom, their likelihood of building a strong bond with their teacher, or their prospects of engaging in political, social, or economic mobility. Why would this socially-manufactured identity do this? Because embedded within their identity are socially-constructed negative beliefs and perceptions about their ability (or deservedness) to serve as agents.

We see this dilemma of agents engaging in autonomous actions that have socially-constructed undertones in schools. For instance, a school administrator may be autonomous in the sense that they can choose to implement a policy intended to stifle disciplinary infractions. Said administrator, though, may unintentionally enact policies that harm certain students more than others. For example, Black students may still experience excessive punishment under the policy because the school's rule may deem certain behaviors like speaking loudly or using culturally-unique expressions as deviant. Teachers, the discretionary agents employing punitive policies, may interpret Black students' behaviors as deviant.

Similarly, the policy may lead Black girls specifically to experience disproportionate punishment if teachers misconstrue their tone or body language as representative of an attitude—rather than simply being a representation of how they speak. Dr. Monique Morris (2018), a leading figure on discourses concerning Black girls' hyperpenalization, once asked a classroom of college students to describe the “Black girl ‘attitude’” (69). To which students mentioned, “neck rolling,” “eye-rolling,” and “just ghetto”—highlighting the negative perceptions of Black girls as combative Black beings yet not as non-docile young girls (Morris 2018, 69). Essentially, reifying discriminatory practices imposed upon certain students does not make the school administrator intentionally racist or sexist. It underscores, however, the fact that racist or sexist conceptions may impact the school administrator and their staff in ways that they consciously failed to recognize.

Nonetheless, according to Dowding (2006), Foucault's choice to (1) ignore individual intentions; (2) prescribe actors who benefit (“gainers”) within a given power dynamic as inherent dominators; and (3) determine that gainers are subject to institutional forces that create and reify their dominator status produces a “Foucaultian trap” (Dowding 2006,141). Dowding utilizes

Lukes' radical conception of power in the third dimension to challenge the "normative" nature of Foucault's power<sub>4</sub>. As previously stated, Dowding strongly disagrees with the notion that systematic forces present within society limit one's autonomy. While he recognizes that external societal forces influence individuals' actions and beliefs, he posits that this influence does not reduce individual autonomy. This, however, is a contestable argument, especially in the context of the focus of this thesis. He reduces Foucault's argument by asserting that autonomy could not exist under the notion that "any and every" external influence is autonomy-reducing because involuntary influences are omnipresent and universally experienced (Dowding 2006, 140). Using Foucault's logic, no one would be autonomous because *every* external influence would reduce their sovereignty as agents.

Thus, Foucault's social constructivist argument is informative when considering power dynamics in educational spaces. Nonetheless, Dowding's critique holds weight: a Foucaultian social constructivist approach negates the potential for autonomy despite the existence of autonomy-reducing, exogenous forces. This reality occurs within some principals and administrators, who enact disciplinary policies while still recognizing that they can hold racist, sexist, or classist philosophies at their foundations. These administrators consequently acknowledge the importance of implementing policies that directly address and avoid the aforementioned oppressive ideologies. Recognizing social attitudes and institutionalized practices as *one* facet of power's production and execution permits greater intellectual depth in contrast to absolutely departing from the Foucaultian stance, as suggested by Dowding.

Pure social constructivism's rigidity, then, disallows an understanding of the self that is constructed through lived experience—making individuals' self-autonomy unique to the extent that a subject can engage in decision-making processes or defiance in ways that may counter



social structures. Ultimately, a unification of all four faces of power must occur to best understand power's manifestation through school disciplinary policies. Expulsion or a referral to law enforcement is not simply about decision-making, restriction of public discourse, domination, or social values influencing an actor's utilization of power. Punitive paradigms in schools are about an amalgamation of *all four* of the concepts coming to fruition. By considering them all simultaneously rather than separately, one understands how multiple mechanisms influence how domination and subjugation occur in a complex manner.

Digester recognizes a critical contribution that Foucault's power<sub>4</sub> provides to political theorists: a means of conceptualizing how "political actions and arrangements encourage some identities and marginalize others" (Digester 1992, 990). Through modes of discipline and surveillance, according to Foucault, power<sub>4</sub> constructs individuals' thoughts, beliefs, behaviors, values, and desires "toward a norm of what is acceptable" (Digester 1992, 993). Individualization, however, does not occur when one achieves said manufactured standards. Instead, the individual is constructed when they *deviate* from those standards and fail to uphold society's prescribed conventions. Thus, perhaps the Black girl's identity is negatively cultivated through teacher and administrative perception when said student engages in culturally-relevant behaviors that challenge that are touted by the public school education system. Although schools encourage critical thinking, Black girls' actions in response to treatment from school personnel (or simply their existence itself) are a form of challenging bolstered norms and authority that schools do not accept.

A school's disciplinary power to suspend or involve law enforcement serves as a normalizing tool—uplifting historically accepted notions of correctness by imposing practices, attitudes, and ideologies upon students. Nevertheless, Digester adequately describes the alarming

nature of legally-sanctioned disciplinary power: at its essence, it limits “[i]ndividual expression, creativity, autonomy, and an openness of inquiry” that has produced immense benefits for society (Digeser 1992, 995). Therefore, reducing students of color, especially Black girls, to problems in need of solving limits their ability to step into their power and improve their communities upon receiving an education—given that, as Foucault says, knowledge and power form a complex nexus.

These more complex notions of power have particularly resonated with feminist theory’s considerable literature on marginality, self-autonomy, and (dis)empowerment. An evolving conception of how power operates (or is operationalized) with gender relations exists. With each passing era, one can discern the evolving conception of “feminism” by comparing how varying theorists have historically presented their understanding of the term. For example, whereas people like Mary Wollstonecraft (1792) have conceptualized feminism as ending sexist oppression imposed upon white, middle-class women, recent scholars have advocated for a diversification of whom the feminist project uplifts. For instance, Lorde (1984) and hooks (2000) put forth the notion that feminism is the recognition of difference present amongst all women with regard to gender, race, class, age, and sexuality—as to facilitate the acknowledgment of various forms of oppression. By responding to these distinguishing qualities, sexist oppression can then be dismantled and terminated on a systemic level. hooks asserted that:

[w]hen feminism is defined in such a way that it calls attention to the diversity of women’s social and political reality, it centralizes the experiences of all women, especially the women whose social conditions are least written about, studied, or changed by political movements (hooks 2000, 27).

She also compelled her readers to contemplate how recognizing women's social and political experiences, with particular attention to marginalized women, contributes to the movement to end *all* women's sexist oppression. Likewise, Lorde recognizes that there are "very real differences between" women when taking into account race, age, and sex (Lorde 1984, 115). She asserts that refusing to recognize these differences, and the distortions generated as a result of essentializing women, separates them as they fight for the common goal of gender parity. Lorde contends that white women's tendency to define what it means to be a woman relative to their own experience marginalizes women of different races, sexual preferences, classes, and ages (Lorde 1984, 115-117). Both hooks and Lorde agree that refusing to note the differences present among various women complicates women's ability to respond to the vast problems and shortcomings facing the group.

Other female scholars within feminist discourses have suggested theoretical methods that allow for the expression of marginalized women's unique oppressive experiences. Hartsock (1998) argues for a theoretical framework told by and grounded in women's experiences: feminist standpoint theory. Building off of Marxist critiques of class domination, she engages in a radical critique of patriarchal capitalism that explores the sexual division of labor. Hartsock views the opposing nature of material life as creating an inverted relationship between men and women—wherein the former dominates the latter (Hartsock 1998, 107). Men, then, are granted the power to dictate how material relationships between sexes are understood and structured. However, this power imbalance means that the oppressed group (in this case, women) operate under men's dominating, impartial vision (Hartsock 1998, 107). Under this vision, the "ruling gender" limits how women can conceptualize their own experiences as predominantly domestic laborers and as a subjugated group. Thus, Hartsock advocates for feminist standpoint theory,

which would serve as an epistemological and knowledge-based tool for women to understand their own experiences of political struggle.

Collins (1986) then expanded upon Hartsock's feminist standpoint theory by advocating for a standpoint produced by and for Black women: a Black feminist standpoint. While Hartsock's feminist standpoint theory holds liberatory potential, it does not do so for all women. She establishes that (1) standpoint is "achieved" *only* through women understanding their political struggle and analyzing it; and that (2) she would refrain from engaging in a race and class analysis when "addressing the institutionalized sexual division of labor" (Hartsock 1998, 110-111). Per contra, Collins engages in the racial and class analysis that Hartsock's piece strays away from by acknowledging African-American women's intimate involvement in white spaces as outsiders, granting them a unique standpoint rooted in their experiences of oppression.

Collins recognizes the liberatory power that a specifically Black women's standpoint holds. The ability to detail one's political struggle through self-definition and self-evaluation inverts the imbalanced power dynamic generated by imposed stereotypical images, meant to bolster white patriarchy (Collins 1986, S17). She, however, disagrees with the notion that a general epistemological approach for women is fitting. Black women provide a specific analysis of *white* patriarchy, as she consistently writes, that white women cannot. Eliminating a racial analysis from one's study of sexist domination eliminates the possibility of evaluating interlocking oppressions. Collins implores theorists and scholars to investigate interlocking experiences of domination, which means one *must* include race. Hierarchical dualities ignore the fact that multiple oppressions can coincide, in addition to the reality of one being both the dominated *and* the dominator.

Additionally, Collins views Black women's standpoint as consisting of multiple Black women's standpoints because they are not monoliths. This belief would lead Collins to disagree with Hartsock's essentialist approach of ignoring race and class while maintaining a general feminist standpoint. Therefore, Black girls like those in the School District of Philadelphia can engage in theoretical evaluations of their marginalized positions within educational power structures to help repair them in ways that detract the racist, classist, and sexist practices imbued within them.

Nonetheless, Collins understands Black feminist thought (a product of Black women engaging in the Black feminist standpoint) as recordable by others yet produced solely by Black women. Crenshaw's intersectionality theory, however, provides a framework through which all people can describe the multiple marginalities themselves and others experience. Intersectionality employs a road intersection metaphor to describe how an individual or group's multiple marginalized identities can compound and produce obstacles, further discrimination, or exclusion within different systems. The intersection, then, would be the point at which one's various identities, such as race and gender, meet to form an instance of racist sexism or sexist racism—rather than *solely* racism or *solely* sexism.

Intersectionality, borne from critical race theory and feminist theory, is a theoretical framework that was first discussed in Crenshaw's (1998) "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics." Her early conceptions of intersectionality centered it within a "Black feminist criticism" meant to highlight how Black women's race and sex discrimination were often lost in feminist and antiracist antidiscrimination legal analyses (Crenshaw 1998, 314). She argued that pigeonholing Black women into experiences of either sexist oppression or racism

results in a single-axis analysis that fails to consider their unique experiences of discrimination at the *intersection* of these categories.

Crenshaw ultimately argues that feminist theory and anti-racist policies that fail to consider intersectionality will continue to marginalize Black women:

Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated (Crenshaw 1998, 315).

Crenshaw's critique of feminist theory heavily aligns with that of hooks, Lorde, and Collins. She addresses how feminist theory's potential to alleviate Black women of sexist oppression is "diminished" because when white women speak for Black women on behalf of all women, they tend to do so from an a-racial lens. Subsequently, white feminists utilizing feminist theory to "analyze patriarchy, sexuality, or separate-spheres ideology" tend to (1) do so through the lens of their own experiences as white women; and (2) neglect how their race "privileges them over and contributes to the domination of other women" (Crenshaw 1998, 326). Therefore, the oppressive experiences of Black women, particularly Black girls, cannot be realized through an anti-sexist lens because of hegemonic whiteness dominating how sexist oppression is understood. Crenshaw, however, also calls in the Black community to recognize its failure to consider the intersectional experiences of Black women. She highlights the Black community's tendency to pedestal struggles produced by racism yet conceive sexist discrimination experiences as distinguishable and less worthy of prioritization (Crenshaw 1998, 331).

A consequence of this is Black women's unique interests and adversities are "relegated to the periphery in public-policy discussions about the presumed needs of the Black community" (Crenshaw 1998, 331). In a similar vein, rather than spearheading gender-specific programs and

data disaggregation practices, Black girls are often overlooked in conversations about disproportionate disciplinary rates. Saying Black students generally receive greater punishment presents *all* Black students as monoliths—leading one to respond to how sexism alongside racism fuels punitive practices inadequately. Solely focusing on Black boys, though, relegates Black girls to the margins, barring them from care and support as alternatives to excessive disciplinary practices. Thus, the ostracization of Black girls—because they fail to align with white conceptions of femininity and because issues of Black students at-large overshadow their gender-specific struggles—disempowers them.

Without an intersectional analysis, then, the particular ways Black girls experience imbalanced power dynamics across all four faces of power cannot be realized. “Sufficiently addressing the particular manner in which Black women are subordinated,” as Crenshaw (1998) states, requires the consideration of how race and gender concurrently produce unique instances of marginality and punishment for Black girls (318). Therefore, intersectionality evades a universalist or essentialist conception of Black students and instead adequately adheres to how excessive punishment drastically harms Black girls specifically. Moreover, while intersectionality has expanded to consider the unique effects of multiple social categories compounding one’s subordination, it is critical to consider it in its original sense: a method of analyzing discrimination fueled by one’s race and gender, particularly as the categories relate to Black girls. Although the two concepts differ, assuming a Black feminist standpoint approach to intersectionality when considering school discipline issues could prove fruitful. Combining these two theoretical concepts would help facilitate investigations in how social categories of race and gender primarily marginalize Black girls while also considering other key identity markers—like class and ability.

Furthermore, this discussion of feminism's evolution heavily influences discourse surrounding concurrent racial and gender discrimination embedded within punitive paradigms practiced often by majority-minority public school districts. To dismantle racist systems and practices, one must consider the converging systems of oppression that fuel the former—such as sexism and classism. The omnipresent societal forces that Foucault references typically look like *misogynoir* (or anti-Black racist sexism) imposed upon Black girls based on how they speak, their values, or their attitudes. It could also look like racist, classist conceptions influencing low-income students of color's deservedness for help or alternative punitive paradigms.

Emily Meanwell and Julie Swando's "Who Deserves Good Schools? Cultural Categories of Worth and School Finance Reform" (2013) analyzes the concept of students' deservedness for school finance reform (SFR). This idea relates to the imposition of zero tolerance policies. Meanwell and Swando's piece voices the unfortunate resultant political dynamic found in conversations concerning zero tolerance policies today: that individual students *deserve* the punishment they receive. American values rooted in individualism and "bootstrap" ideology have historically juxtaposed *deserving* and *undeserving* people's relationship with "good" policy.

Deserving individuals are conceived as those who are "morally worthy" people and who possess both "genuine need for assistance *and* good moral character"—especially regarding work ethic (Meanwell and Swando 2013, 498). In contrast, those who are undeserving are perceived as culpable for their own need and destitute of moral character "especially in terms of a lack of work ethic, laziness, a lack of self-reliance and other irresponsible or immoral behavior" (Meanwell and Swando 2013, 498). Meanwell and Swando also find that policies understood to benefit morally worthy individuals typically are supported while those that "benefit undeserving people" are "unpopular and more difficult to pass" (Meanwell and Swando 2013, 498). Framing,



or the strategic construction of issues and ideas, primarily allows the manufacturing of this dichotomous language to exist. Media and influential institutions presenting African-Americans as people disproportionately leeching off of social welfare services, for example, will undoubtedly negatively affect peoples' conception of the group and their deservedness.

Similarly, Meanwell and Swando investigate adults' perceived deservedness (such as parents or caretakers) that benefits from SFR policies must go through to reach students within public schools. Concerns of "squandered resources" by caretakers, who presumably did not adequately value education for their children, were raised (Meanwell and Swando 2013, 506). While many viewed tax-paying intermediaries in poor communities as potential squanderers, they viewed property taxpayers as deserving *and* carriers of an "unfair burden" (Meanwell and Swando 2013, 507). The consensus amongst individuals is that all students deserve to reap the benefits of SFR, which can drastically aid a student's ability to succeed in the long- and short-term. However, there is disagreement over *which* children deserve to experience these benefits. Some argue that specific children deserve *less*. Meanwell and Swando (2013) found the following argument offered through different media outlets:

children who were considered troublemakers, who had been violent, or were assumed to have not put an appropriate amount of effort into their education were sometimes portrayed as less deserving of educational resources (506).

The scholars' piece brings to the forefront commonly noted themes present within "zero tolerance policy" discourses. First, the neoliberal conception of schooling wherein it is the school's responsibility and its students to put in place mechanisms that will relieve these stakeholders' problems. Students of color in schools located in working-class and working-poor neighborhoods experience the brunt of America's worst social and economic issues. Responding

to students' trauma, demonstrated through them misbehaving, negates critical root causes—such as food insecurity, unstable housing, or having working-class guardians that cannot be fully present. Also, conceptions of one's deservedness of beneficial policies often relate to racial and class biases. Students and their intermediaries do not opt into a life of financial struggle, yet they must suffer the consequences of this experience. "Trouble makers," "violent" students, and those who lack "effort" are still students who need support.

Barring them from educational resources like school finance reform, (1) lays bare the hypocrisy embedded in the commonly-stated concept that all students deserve educational resources, and (2) continues a cycle of marginalizing students who may need the *most* attention and policy aid. Thus, equating deservedness with taxpayer contributions and students' ability to conform to individualist standards invalidates certain students. It automatically signals to lower-income students (primarily non-white children) within public schools that they are not deserving because they cannot meet normative standards. On zero tolerance policies, engaging in a punitive paradigm extends this philosophy of demonstrating preferential treatment toward particular students and outcasting others.

Maintaining practices such as suspension, expulsion, and referral to law enforcement perpetuate the cycle of deeming students with behavioral challenges as undeserving. Rather than helping students cultivate preferred social and behavioral skills, zero tolerance policies divert them from necessary rehabilitative resources. Therefore, punitive policies meant to support children in schools by promoting prosocial behaviors are ironically disempowering students by creating a culture wherein disciplinary power targets those who deviate from normative conceptions of deserving, well-behaved students. At the brunt of these harsh, rigid practices are

Black students primarily, but Black girls especially. Racist sexism leads these young women to inherently fail to align with constructed notions of feminine behavior created to uplift whiteness.

### **III: *An Unfurling History of “Zero Tolerance” Toward Black Girls in Schools***

The crisis of over-policing in schools did not occur overnight. Zero tolerance education policies, which trace back to the Gun-Free School Zones Act of 1990 (passed initially under the Crime Control Act of 1990), surfaced in response to firearm possession and drug possession on school grounds. The origins of the phrase “zero tolerance” do not stem from educational circles: it was introduced during the 1980s when federal and state agencies began to adopt a “tough on crime” mentality toward drug vending or possession. Although not the first instance of “zero tolerance,” in 1986, a U.S. attorney in San Diego used the phrase while speaking about a program established to legally seize seacrafts caught carrying drugs (Skiba & Petterson 1999, paragraph 4). As the ‘80s reached their fin, the policy simultaneously gained national attention.

The federal government expanded its zero tolerance policy to government seizures conducted by the U.S. Customs Service specifically (and eventually to charges from the federal government generally). Vehicles and passports of those found with even a minuscule amount of drugs were subject to punishment. They, however, quietly ended the program when it began to invade the lives of private citizens. Federal and state agencies widely broadened the scope of the policy into diverse and seemingly-unrelated issues—such as “environmental pollution, trespassing, skateboarding, racial intolerance, homelessness, sexual harassment, and boom boxes” (Skiba & Peterson 1999, paragraph 5). Additionally, private citizens backed by organizations like the American Civil Liberties Union threatened lawsuits after their items were impounded despite having an insignificant amount of drugs.

The punitive paradigm of zero tolerance quickly evolved to describe a general philosophy of implementing policies in schools that demanded predetermined consequences “regardless of the gravity of the behavior, mitigating circumstances, or situational context” (American

Psychological Association Zero Tolerance Task Force 2008). The passage of the Gun-Free Schools Act (GFSA) of 1994 codified this philosophy across the United States. The law served as a reinvention of the 1990 Act, which was overturned by *United States v. Lopez* (1993) after the Supreme Court of the United States determined that Congress had overstepped its legislative boundaries of regulating interstate commerce. Ultimately, what began as a 1-year mandatory expulsion for students “caught with a weapon on campus” expanded to other offenses—such as fighting, insubordination, or “difficult-to-define behaviors” (Evans and Lester 2012, 109).

Federal directives of ensuring school safety quickly spiraled into schools exercising discretion when implementing the federal policy. GFSA arose during an era in the United States in which the adultification of youth criminal offenders within the justice system began skyrocketing. Barrett and Brooks (2017) note how:

between 1985 and 1994[,] the number of delinquency cases waived to the adult justice system more than doubled, the percentage of juvenile homicide offenders sentenced to life imprisonment without parole was three times higher in 2000 than 1990 ... and between 1992 and 1999, 27 states enacted policies that broadened eligibility criteria for youth to be waived into the adult justice system (1).

Clinton-era rhetoric of “superpredators” threatening society, coupled with a novel public interest in school safety, widened the policy window for GFSA. Increased depictions of mass school shootings put parents in a state of fear for their children’s safety (despite data emphasizing the rarity of school violence, especially gun violence, at the time) (Barrett and Brooks 2017, 2).

Additionally, racially-charged language stemming from the 1980s trickled into debates about crime control during the time. Outside of classrooms, a lack of economic opportunity in urban, predominantly Black neighborhoods drove many Black men to engage in illegitimate

forms of employment—particularly the illegal drug trade (Pettit & Western 2004, 153-154). The mounting fear amongst parents, along with the racialization of criminal justice policies and incarceration practices across the nation, fueled federal calls for severe consequences—both within and outside of the schoolhouse doors. Following the passage of GFSA, President Clinton presented a Presidential Directive enforcing the expulsion of students carrying guns at schools: he emphasized a “zero tolerance” response, calling in an era of hyperpunitive policies in America’s schools.

Placing the onus on schools to usher in this drastic paradigmatic shift in disciplinary practices encouraged immense leeway for discretion over implementation. The GFSA possessed four fundamental requirements:

1. Each state would put a law in place that necessitated expulsion in response to a student bringing a weapon to school;
2. Schools must submit reports demonstrating compliance with the GFSA;
3. Schools must refer a student to the criminal or justice system if they are found with a weapon or firearm; and
4. Annually, school districts must report their disciplinary data to the federal government.

Following the later reauthorization of the GFSA in 2001, former Assistant Secretary of Education Thomas W. Payzant issued a 1995 memorandum meant to clarify some common points of confusion amongst governors and school officials. For example, while the memorandum did not identify knives as weapons, it presented schools with the power to broaden the definition of “weapon” to include knives if they saw fit (Barrett and Brooks 2017).

This directive that states could self-define “weapon” to include or not include knives meant that states could broaden the definition for other objects or actions. For example, Colorado

and Arizona's state legislatures drafted statutes that *also* mandated expulsion for robbery and assault; and "chronic absenteeism" for those students who passed the age or grade requirement, respectively (Sughrue 2003, 241). This obscurity has meant states have taken disparate actions regarding the implementation of the GFSA, ranging from determining nail files as weapons to expanding the jurisdiction of zero tolerance policies to "threatening" behavior. Fifteen states and the District of Columbia created laws that followed federal guidelines of mandatory expulsions, mandatory referrals to the criminal justice system, "and authorization of the Location Education Agency's (LEA) chief administrative officer to reconsider expulsion recommendations on a case-by-case basis" (Sughrue 2003, 241). Pennsylvania was one of these states.

Since the GFSA's original passage in 1994, and reauthorization in 2001, scholarship has started addressing the negative, significantly disproportionate, impacts of zero tolerance policies upon students. Evans and Lester (2012) explore three specific implications of zero tolerance policies worth noting: creating a "cycle of failure," schools' failure to create safe environments, and the strengthening of the school-to-prison pipeline. The "cycle of failure" describes schools' practice of excluding students due to disciplinary issues, which can further increase these students' academic failure. Students who struggle with behavioral problems are not in class receiving the opportunities and resources needed to excel. Instead, they are repeatedly kicked out of their classes and school, resulting in the exacerbation of "student misbehavior [and] widening the achievement gap" (Evans and Lester 2012, 110).

Wilson (2014) notes that Texas middle school students who received suspension were "five times more likely to drop out," and those suspended as a punitive measure "were nearly three times more likely to" partake in the juvenile justice system "in the following year" (51).

Consequently, positive relationships between students and teachers are severed, reinforcing hostile school climates that disallow rehabilitation by ultimately ostracizing children.

Similar to the positive correlation between drop-out rates and suspensions, exclusions, and referrals to law enforcement, teacher turnover also rises drastically. Many teachers argue that the zero tolerance paradigmatic model negatively impacts students. It interferes with students' ability to build and gain access to skills that would allow them to learn from their mistakes. Without understanding why their behavior was deemed unacceptable, the misbehavior continues as teachers are forced to impose the one-size-fits-all punitive measures that perpetuate this cycle. The pressure of having to uphold this system, wherein little fluidity for offering personalized alternative punishments is available to them, ultimately compels educators to leave their positions.

In addition to excluded students' inability to build behavioral and social skills for short-term success, hyperpenalization through zero tolerance policies has long-term implications. Monahan et al. (2014) emphasize that school suspension and expulsion are correlated with life-long behavior consequences. Notably, in addition to an "increased likelihood of future suspension," suspension and expulsion are correlated with "higher rates of subsequent antisocial and illegal behavior, including drug use" (Monahan et al. 2014, 1111).

It is imperative to trace how local discretionary decisions came to be by first considering what catalyzed federal zero tolerance policies: gun violence in schools, specifically school shootings. The driving claim is that zero tolerance policies in practice mitigate the threat of fatal mass school shootings. However, this claim is false for several reasons. First, most school shootings occurred and continue to occur in typically well-funded, "white, [s]uburban, ... middle class" school districts that many would consider "safe" (Mallett 2016, 17). In conjunction, a



2014 U.S. Department of Education (DOE) report highlights that, since 1992, “between 11 and 34” adolescents on school grounds are killed due to homicide annually “from a school population of 49 million students” (Mallett 2016, 17). Although tragic and unnerving, this underscores how statistically rare fatal mass school shootings are on school grounds. To further counter the “unsafe schools” frame, violent crimes that occur on school grounds occur at meager rates: not only do “violent victimizations, student drug use, and student-related delinquency” have low prevalence rates, but they are also declining (Mallett 2016, 17).

Thus, schools are some of the safest institutions for children and adolescents. What makes them dangerous is zero tolerance policies themselves, which are inconsistently imposed and enforced. In 2011, 26 percent of African-American students reported having walked through metal detectors upon entering school, whereas a mere 5.4 percent of white students reported the same (Mallett 2016, 19). In turn, zero tolerance policies were designed for well-funded suburban schools in response to a tragedy that devastated the nation. These policies, however, affect a statistically small percentage of primarily white students. Nonetheless, they have formed the basis for a broader license to discipline students of color in city schools—resulting in these measures turning into a kind of juggernaut from which Black boys and girls cannot escape.

Nonetheless, the racial disparities embedded in schools’ punitive practices do not stop there. While various security measures are in schools across the nation, the exponential growth of security guards, police, and cameras occurred at higher rates in urban, inner-city areas since the rise of zero tolerance policies (Mallett 2016, 18). These safety measures sprang from a policy generated by a problem encountered in some white, middle-class, suburban schools. Ironically, though, metal detectors and prison-like educational environments predominantly reign in low-income, inner-city, public schools composed of predominantly Black and Brown students.

The claim that zero tolerance policies were meant to protect against school shootings is arguably false, given that the communities where these tragic events occur are not witnessing a spike in hyperpenalization. In turn, the racialized and classist nature of U.S. schools' construction of punitive environments, stemming from the federal government's framing, cannot go unnoticed or undeclared.

Race, gender, and disability are strong indicators of one likely experiencing school push-out—notably through repeated targeting, as this thesis later explores. Scholars have found that low-income students, students with disabilities, and students of color are at a significantly higher risk of disciplinary infractions, referrals to school administrators, and experiencing exclusionary punitive practices—particularly in- and out-of-school suspension, expulsion, and referral to law enforcement—relative to their peers (Anyon et al. 2014, 379; Evans and Lester 2012, 110). The Harvard University Civil Rights Project on Zero Tolerance surveyed attorneys who represent adolescents charged with disciplinary actions under zero tolerance policies. These attorneys undoubtedly believed that race significantly influenced those who received harsh penalties (Henault 2001, 551). To be more specific, African-American and Latino students were more likely to receive a disciplinary infraction for demonstrating “defiance” or “disrespect” to authority figures (Henault 2001, 551).

Similarly, a majority of students at New York City Public Schools (comprised mostly of Black and Hispanic students, according to the Department of Education) reported that “school police officers were disrespectful, verbally abusive, and made them feel uncomfortable” in a survey conducted by the New York Civil Liberties Union (Theriot & Orme 2016, 133). Theriot and Orne (2016) noted how teachers corroborated students' responses, adding that police officers tended to be *physically* abusive. The scholars mentioned above conducted a study that found

school resource officers (SROs) were more likely to categorize African-American students as “unsafe,” and males were more likely to be identified as “safe” than female students (Theriot and Orne 2016, 140).

The previous discussion of individual intentions from chapter 2 manifests itself within the discrepancy between SROs' conception of male and female students as safe and African-American students excessively receiving the identification of “unsafe.” The SROs' intention of promoting school safety may influence their decision to discipline certain students—primarily girls and Black youth. However, this exercise of power may represent intentional acts operating within a much larger framework of race and sex that SROs are unaware of. Therefore, SROs fail to realize that their intentional actions have unintended consequences that ultimately further marginalize students based on their race and gender.

In conjunction, studies analyzing student-teacher relationships highlight that differential processing does occur. Differential processing refers to the racial disparities underscoring educators' decisions regarding how disciplinary infractions should be doled out in response to students' behaviors. Bates and Glick's (2013) research found that, except for Asian students, minority students were more likely to be “rated as having more externalizing behaviors” by their teachers—with Black students receiving higher ratings than their non-Hispanic white peers (1184). Studies from various scholars have affirmed the argument that Black, Latino, and Native American students are more likely to experience an exclusionary consequence than their white peers in response to a disciplinary infraction, even if the misconduct was minor (Gregory et al. 2018, Anyon et al. 2014, Skiba et al. 2014). The American Academy of Pediatrics (2003) relatedly advocated for the end of zero tolerance policies entirely: they believed that disciplinary models should aim to simultaneously “increase students' sense of belonging,” support student

self-autonomy over behavior modification, and equip teachers and communities with the resources needed to engage in a philosophical shift (Evans and Lester 2012, 51).

Therefore, educational disciplinary literature has emphasized and continues to amplify arguments that zero tolerance policies harm school culture generally and marginalizes students disproportionately. Schools are criminalizing students, especially those of color stemming from lower-income backgrounds, before our eyes—and it is harming these children’s life trajectories.

#### ***IV: Revisiting the Crenshaw et. al. Report in the Context of Philadelphia***

Discourse and literature about zero tolerance policies tend to center the plight of Black boys within the school-to-prison pipeline at the core of this issue (Allen & White-Smith 2014; Bryan 2017; Pettit & Western 2004; Kunesh & Nolemeyer 2019). Black girls and boys experience hyperpenalization at disproportionately high rates, while Black girls simultaneously experience racial and gender bias that presents a distinctive punitive experience. A contemporaneous example of this is the spike in news stories documenting schools punishing Black girls for their hairstyles. The victimization of these young women, who are wearing culturally-relevant hairstyles, is driven by the fact that they are exuding their Blackness through feminine hairstyles. Within the United States specifically, racial stereotypes toward African-American and African diasporic people have long existed.

White supremacist sentiments touting socially-constructed Black inferiority rested at the core of enslavement and persist today within different institutions—such as schools. Schools are the settings in which social norms and creeds are perpetuated through teachers transmitting knowledge to students. Black students, in particular, are impacted within educational settings by systems and institutions that deem them “ghetto,” naturally rebellious, unruly, and incapable of being helped due to their perceived inferiority. Black girls endure racist social constructs that deem them as deviant, resulting in them experiencing mistreatment due to not aligning with gender norms. If femininity is equated with “white” and “female,” Black girls lying at the opposite end of these characteristics will inherently fail. In turn, these young women experience anti-Black racist sexism that relegates them to the educational system’s margins.

Crenshaw, Ocen, and Nanda collected data from the DOE’s CRDCT, intending to raise awareness about the gendered consequences of punitive push-out policies on girls of color,

particularly Black girls. The scholars mentioned above engaged in an intra-gender comparison of percentage enrollment relative to the percentage of students disciplined. They looked specifically at Black, white, and Hispanic students within Boston Public Schools (BPS) and New York City Public Schools (NYCPS) during the 2011-2012 school year (SY). While Black boys made up 28 percent of the enrollment in BPS, 57 percent of Black boys were disciplined (white students comprised 15 percent of the enrollment and 7 percent of disciplinary cases, and Hispanic students comprised 40 percent of the enrollment and 36 percent of disciplinary cases) (Crenshaw, Ocen, & Nanda 2015, 19). In contrast, while Black girls made up the same percentage of enrollment as Black boys, 61 percent of the girls were disciplined—in contrast to 5 percent of white female students (15 percent enrollment) and 34 percent of Hispanic female students (41 percent enrollment) (Crenshaw, Ocen, & Nanda 2015, 19).

The trend was paralleled in NYCPS during SY 2011-2012, with Black girls and boys having the same enrollment percentage yet Black girls having higher percentages of girls within the group (56 percent) experiencing discipline relative to Black boys (48 percent) (Crenshaw, Ocen, & Nanda 2015, 19). While both Black girls and Black boys had the highest percentage disparities relative to their percentage enrollment, an intra-gender analysis highlighted that Black girls experienced disciplinary events at higher rates than Black boys. This trend continued when the authors compared suspension and expulsion rates between Black students and white students. In BPS, during SY 2011-2012, Black boys were 7.4 times more likely to be suspended than white boys—whereas Black girls were 12 times more likely than white girls (Crenshaw, Ocen, & Nanda 2015, 22).

During the same SY, while Black boys were five times more likely to be suspended than white boys, Black girls were ten times more likely relative to their white female counterparts

(Crenshaw, Ocen, & Nanda 2015, 22). Expulsion rates affirmed this trend for both districts, particularly for New York City: while Black boys were ten times more likely than white boys to be expelled, Black girls were 53 times more likely than white girls (Crenshaw, Ocen, & Nanda 2015, 21). Consequently, disaggregating the data manifested the realization that “race may be a more significant factor for [Black female students]” than Black male students (Crenshaw, Ocen, & Nanda 2015, 16).

This thesis seeks to replicate Crenshaw, Ocen, and Nanda’s research by seeing if their findings apply to the School District of Philadelphia (SDP). I chose SDP because it also is a majority-minority district, similar to BPS and NYCPS. SDP is not only the country’s eighth largest school district and one of its most diverse, but it also is one of the most financially challenged public school districts nationally (Gray et al. 2017, 4). During SY 2016-2017, 50 percent of SDP students were Black or African-American, and 20 percent were Hispanic (Gray et al. 2017, 4). Data shows that “nearly 90% of SDP qualify for free lunch ... and two-thirds have experienced traumatic events like poverty, violence, familial instability, or abuse” (Gray, cited in Wills, Karakus, & Wolford 2017; and Hardy 2014). Studies like Gray et al.’s (2017) have considered disciplinary practices within the SDP, what patterns have arisen from those practices, and how varied disciplinary cultures within SDP schools came to be.

Their study, however, looked exclusively at K-5 and K-8 schools, did not consider the juvenile justice system implications from disciplinary practices, and did not disaggregate data between female students and male students on account of race. My research contributes to the discipline of education policy in novel ways by collecting SDP disciplinary infraction statistics to determine if there are both racial and gendered patterns signaling who is most disciplined. In addition to an intra-gender analysis, this research distinguishes itself by looking at the SDP

broadly and initiating questions regarding SDP's school-to-prison pipeline's gendered and racial implications.

This thesis's research questions are as follows:

1. Upon conducting an intra-gender analysis of punitive exclusionary infractions (i.e., comparing differences found in gender-disaggregated racial/ethnic categories), are Black girls disproportionately penalized at higher rates?
2. Are Black girls penalized at higher rates relative to Black boys following an intra-gender analysis between Black and white students?
3. Are Crenshaw, Ocen, and Nanda's (2015) findings from Boston and New York City Public Schools relevant and generalizable to another majority-minority public school district (specifically, the SDP)?

While I believe the answer to each inquiry is "yes," to answer the questions above, I compiled data from the DOE's CRDT for SY 2011, 2013, 2015, and 2017. I collected data for five data elements or categories of punitive practices: in-school suspension (ISS), out-of-school suspension (OSS), referral to law enforcement, expulsion, and school-related arrests. For clarity purposes, ISS involves a student completing their suspension under teacher supervision (typically in a secluded class or area in the school building) while OSS is just that: a student must complete their suspension at home and off school grounds. The data values via the CRDCT were collected in the form of percentages. Therefore, I did not convert any raw data into the percentages found below.

I chose to collect data from multiple SYs relative to the Crenshaw, Ocen, and Nanda report because I wanted to see if disciplinary patterns presented themselves across SYs versus solely during one school year. Additionally, the report investigated OSS values, expulsion,



referral to law enforcement, and school-related arrests for Boston (Crenshaw, Ocen, & Nanda 2015). Per contra, for New York City, the authors also investigated ISS, yet not school-related arrests. To promote consistency, I investigated the aforementioned five disciplinary events across the four SYs within SDP. I also collected percentage values under the five disciplinary events for each SY for the following racial groups: “Black or African-American,” “Hispanic,” “White,” and “American Indian or Alaska Native.” Under each racial category, I disaggregated the data by gender, accounting for both boys and girls within the categories.

After compiling the data for each racial/ethnic and gender group, I replicated the original study by comparing Black boys’ percentages to white boys, and Black girls to white girls, for each SY. I used relative risk ratios (RR), or risk ratios, to engage in an intra-gender analysis between Black and white students. A risk ratio is the “ratio between the rate at which one student subgroup receives a disciplinary action to the rate at which another student subgroup does” (Petrosino et al. 2017). In this instance, I wanted to quantitatively determine how much more likely Black male and female students are to experience a given disciplinary category relative to white male and female students. The equation used to calculate a risk ratio is  $RR = \frac{\text{Rate at which one student subgroup receives a disciplinary action}}{\text{Rate at which another student subgroup receives a disciplinary action}}$ . For example, to determine the RR of Black boys experiencing ISS relative to white boys during SY 2011, I divided the percentage of Black boys who experienced ISS ( $\frac{\# \text{ of Black boys who experienced ISS during SY 2011}}{\text{total number of Black boys enrolled during SY2011}}$ ) by the percentage of white boys who experienced ISS ( $\frac{\# \text{ of white boys who experienced ISS during SY 2011}}{\text{total number of white boys enrolled during SY 2011}}$ ). I then made the following percentage a decimal, which reflected how many more times likely a Black boy experienced ISS relative to his white male counterpart. Comparing the values produced by finding the RRs would allow me to determine whether Black girls had a greater risk of experiencing a given disciplinary event. This was all documented and calculated using Google

Sheets, a spreadsheet creation software through Google Suites. One can find my calculated ORs as described above in the appendix section of this thesis.

## 2011

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests	Number of Students Enrolled
<b>Black Boys</b>	6.5%	21.0%	1.5%	0.0%	1.4%	41,389
<b>Hispanic Boys</b>	3.7%	15.1%	1.1%	0.0%	1.0%	13,690
<b>American Indian or Alaska Native Boys</b>	3.2%	10.0%	0.8%	0.0%	0.7%	205
<b>White Boys</b>	3.2%	10.0%	0.8%	0.0%	0.7%	10,591

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests	Number of Students Enrolled
<b>Black Girls</b>	4.1%	11.5%	1.2%	0.0%	1.1%	40,411
<b>Hispanic Girls</b>	1.9%	6.7%	0.5%	0.0%	0.5%	13,048
<b>American Indian or Alaska Native Girls</b>	4.2%	7.4%	0.0%	0.0%	0.0%	189
<b>White Girls</b>	2.1%	4.3%	0.3%	0.0%	0.3%	9,849

## 2013

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests	Number of Students Enrolled
<b>Black Boys</b>	1.5%	24.0%	0.0%	No record	No record	38,368

<b>Hispanic Boys</b>	0.2%	3.5%	0.0%	<b>No record</b>	<b>No record</b>	13,817
<b>American Indian or Alaska Native Boys</b>	2.7%	11.8%	0.0%	<b>No record</b>	<b>No record</b>	221
<b>White Boys</b>	1.3%	10.0%	0.0%	<b>No record</b>	<b>No record</b>	10,629

	<b>In-School Suspension</b>	<b>Out-of-School Suspension</b>	<b>Referral to Law Enforcement</b>	<b>Expulsion</b>	<b>School-Related Arrests</b>	<b>Number of Students Enrolled</b>
<b>Black Girls</b>	1.0%	13.6%	0.0%	<b>No record</b>	<b>No record</b>	37,044
<b>Hispanic Girls</b>	0.1%	1.1%	0.0%	<b>No record</b>	<b>No record</b>	13,189
<b>American Indian or Alaska Native Girls</b>	0.0%	2.0%		<b>No record</b>	<b>No record</b>	200
<b>White Girls</b>	0.9%	4.3%	0.0%	<b>No record</b>	<b>No record</b>	10,044

## 2015

	<b>In-School Suspension</b>	<b>Out-of-School Suspension</b>	<b>Referral to Law Enforcement</b>	<b>Expulsion</b>	<b>School-Related Arrests</b>	<b>Number of Students Enrolled</b>
<b>Black Boys</b>	0.9%	19.4%	7.8%	0.4%	<b>No record</b>	34,549
<b>Hispanic Boys</b>	0.7%	12.7%	5.4%	0.2%	<b>No record</b>	13,047
<b>American Indian or Alaska Native Boys</b>	0.0%	19.6%	5.2%	0.0%	<b>No record</b>	194
<b>White Boys</b>	0.8%	6.8%	3.8%	0.1%	<b>No record</b>	9,215

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests	Number of Students Enrolled
<b>Black Girls</b>	0.5%	11.7%	5.3%	0.3%	<b>No record</b>	33,316
<b>Hispanic Girls</b>	0.3%	6.5%	3.7%	0.2%	<b>No record</b>	12,511
<b>American Indian or Alaska Native Girls</b>	0.0%	4.7%	1.2%	0.0%	<b>No record</b>	172
<b>White Girls</b>	0.3%	3.5%	2.4%	0.1%	<b>No record</b>	8,750

## 2017

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests	Number of Students Enrolled
<b>Black Boys</b>	1.3%	13.0%	6.0%	0.2%	<b>No record</b>	32,452
<b>Hispanic Boys</b>	0.7%	7.3%	3.5%	0.2%	<b>No record</b>	13,180
<b>American Indian or Alaska Native Boys</b>	0.0%	3.7%	1.5%	0.0%	<b>No record</b>	135
<b>White Boys</b>	0.9%	4.3%	2.1%	0.1%	<b>No record</b>	9,585

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests	Number of Students Enrolled
<b>Black Girls</b>	0.7%	8.4%	3.9%	0.2%	<b>No record</b>	31,156
<b>Hispanic</b>	0.4%	3.7%	1.8%	0.1%	<b>No record</b>	12,815

<b>Girls</b>						
<b>American Indian or Alaska Native Girls</b>	0.0%	0.8%	0.0%	0.0%	<b>No record</b>	130
<b>White Girls</b>	0.3%	1.6%	0.8%	0.0%	<b>No record</b>	8,993

During SY 2011, American Indian or Alaska Native girls had the highest ISS percentage rate (4.2 percent) relative to all other female students. It is important to note that Black girls followed their Indigenous female peers by 0.1 percent. Nevertheless, Black girls had the highest OSS, referral to law enforcement, and school-related arrest percentages relative to all other female students (11.5 percent, 1.2 percent, and 1.1 percent, respectively). Relative to their male counterparts, Black boys have the highest percentages for four of the five categories except for expulsions. Although expulsion percentages between the gender groups are 0 percent, this may be untrue—which I will discuss further as I analyze my data.

Reflecting on the data gathered, though, an intra-gender analysis solely between Black and white students highlights Black girls' disproportionate exclusion from schools. In three of the five disciplinary categories, Black girls have higher risk ratios than Black boys. Whereas Black boys are 2.10 times more likely than white boys to be suspended, Black girls are 2.67 times more likely than their white female peers. Similarly, Black boys are 1.88 times more likely to be referred to law enforcement than white male students, yet Black girls are 4.00 times more likely than white female students. School-related arrests demonstrate the same trend: whereas Black boys are 2.00 times more likely than white boys to endure a school-related arrest, Black girls are 3.67 times more likely than white girls. Thus, the rate at which Black girls are

disciplined is higher relative to Black boys when one considers gender-disaggregated data between white and Black racial groups.

During SY 2013, no expulsion or school-related arrest data is available for either gender through the CRDT. Unfortunately, missing data concerning school-related arrests persists for SY 2015 and 2017. I will explore the reasoning and implications behind having this data missing toward the end of this chapter. Nevertheless, while it is recorded that 0.0 percent of students were referred to law enforcement between genders, Black girls have the highest percentages for ISS (1.0 percent) and OSS (13.6 percent) relative to Hispanic Girls (0.1 percent and 1.1 percent), American Indian or Alaska Native girls (0.0 percent and 2.0 percent), and white girls (0.9 percent and 4.3 percent). Thus, Black girls' OSS rate was about 12 times higher than Hispanic girls and almost seven times higher than American Indian or Alaska Native female peers. Whereas American Indian or Alaska Native boys predominated in ISS (2.7 percent), 24 percent of Black boys experienced OSS—the highest rate relative to 3.5 percent of Hispanic boys; 11.8 percent of American Indian or Alaska Native boys; and 10 percent of white boys. Additionally, Black girls were 3.16 times more likely than white girls to experience OSS, while Black boys were 2.40 times more likely than their white male peers.

During SY 2015, Black girls had the highest percentage rates for four of the five disciplinary categories. Most notably, 11.7 percent of Black girls endured OSS relative to 6.5 percent of Hispanic, 4.7 percent of American Indian or Alaska Native, and 3.5 percent of white girls in the SDP. Except for OSS, Black boys also hold the higher percentage rates for a majority of disciplinary classifications—namely ISS, referral to law enforcement, and expulsion. When engaging in an intra-gender comparative analysis, Black girls' risk ratios are higher relative to Black boys when compared to white boys. Black boys are 4.00 times more likely than white boys

to experience expulsion, whereas Black girls' are 3.00 times more likely than white female students to experience the same disciplinary event. Nevertheless, Black girls are 2.21 and 3.34 times more likely than their white female peers to be referred to law enforcement and experience OSS, respectively. In contrast, Black boys are 2.05 and 2.85 times likely than white boys to experience the aforementioned punitive measures, respectively.

The final school year within my data set, SY 2017, demonstrates similar trends to those above. An intra-gender analysis highlights Black girls' disciplinary rates being higher than their representation in the SDP—as highlighted by enrollment numbers for all students included above. Black boys and girls, and Hispanic boys, were expelled the most—all three groups sharing a percentage of 0.2. Black girls and boys, however, had the highest rates for four out of the five disciplinary classifications. Further analyzing the data leads one to find that Black girls hold higher risk ratios relative to Black boys when comparing data between Black white SDP students who have experienced the five disciplinary events. To this point, the risk ratios of Black girls experiencing three out of the five disciplinary practices relative to white female students are almost *double* that of Black boys compared to white male students.

Whereas Black boys are 1.44 times more likely than white boys to experience ISS, Black girls are 2.33 times more likely than white girls. Uniformly, Black male students within the SDP are 3.02 times more likely than white male peers to experience OSS—yet Black girls are 5.25 times more likely than white female peers. In the realm of referrals to law enforcement, the pattern is no different: Black boys are 2.86 times more likely to experience this fate relative to white young men, and Black girls are 4.88 times more likely relative to white young women. When comparing expulsions, 0.2 percent of Black boys were expelled relative to 0.1 percent of white boys—making Black young men two times more likely than white male pupils to be



expelled from school. Per contra, during the same SY, 0.2 percent of Black girls were expelled while 0.0 percent of white female children experienced the same consequence.

Subsequently, based on the trends stated above, I would like to revisit my three research questions guiding my thesis. I first question whether conducting an intra-gender analysis of punitive exclusionary infractions would highlight Black girls experiencing disciplinary infractions at higher rates. A majority of the data ultimately affirms that this is true: Black girls disproportionately endured ISS, OSS, referral to law enforcement, expulsion, and school-related arrests relative to female peers of other racial or ethnic groups. In continuation, I asked whether Black girls are penalized at higher rates relative to Black boys upon conducting an intra-gender analysis between Black and white students. According to the data, Black girls *are*: over the four SYs and five disciplinary events, Black girls had higher risk ratios than Black boys for a majority of the events upon conducting an intra-gender analysis between Black and white students. Black girls were statistically more likely to experience punishment at higher rates in its various forms relative to Black boys. By prioritizing the disaggregation of gender between racial groups (followed by an intra-racial comparison between Black male and female students), Black girls' multiple marginalities become statistically clearer—further underscoring the power of an intersectional analysis. Thus, I believe that the data collected affirms my second research question.

I concluded my list of research questions with the following inquiry: Are Crenshaw, Ocen, and Nanda's findings from Boston and New York City Public Schools relevant and generalizable to another majority-minority public school district, specifically the SDP? One can affirmatively answer this question to a significant extent. The scholars above found that Black boys and girls were subject to more exclusionary punitive measures relative to their white

counterparts—which held for the SDP disciplinary data. Nonetheless, similar to the report’s findings, Black girls “face a statistically greater chance of suspension and expulsion compared to other students of the same gender” (Crenshaw, Ocen, & Nanda 2015, 23).

While the report is pertinent in discourses of racial and gendered disparities in punitive practices within the SDP, its generalizability is debatable. The report does express that the scope of its “focus group and interviews were modest,” emphasizing that—while it does identify potential avenues for further research—the report itself is not universally applicable (Crenshaw, Ocen, & Nanda 2015, 27). Additionally, replicating the study is rather complex: Crenshaw, Ocen, and Nanda included neither their interview questions nor the specific number of young women and stakeholders interviewed. Unfortunately, without this information, it makes it difficult for researchers to replicate the study to determine if similar trends are present in other majority-minority school districts. The report, however, did underscore a critical point: that the discrepancies in data collection at the local, state, and federal levels served to the detriment of researchers hoping to use them to “assess qualitative questions about the disproportionate use of harsh disciplinary measures on Black girls” (Crenshaw, Ocen, & Nanda 2015, 46).

I experienced similar issues while collecting data from the US DOE’s CRDT. The third chapter of this thesis discussed the harmful impacts of school-to-prison pipelines generated through law enforcement and school partnerships. This issue is one that, without consistent data evidencing its importance, disallows one to draw conclusions about Black girls’ involvement within the school-to-prison pipeline. The absence of 75 percent of school-related arrests data is problematic. With that data, this thesis could have made qualitative assessments regarding both school push-out trends *and* patterns concerning racial disparities present within the school-to-pipeline system. According to the Deputy Chief of the SDP’s Office of Student Rights

and Responsibilities, the SDP detailed in a 2015 Action Plan why there are missing data elements for SY 2013. According to the SDP's Action Plan, expulsions were not recorded in 2013 due to the following reason:

The School District of Philadelphia does not expel students. Students who have been expelled attend school district-operated alternative education programs. This is under the definition of the School District of Philadelphia although that definition does not align with the [CRDCT]'s definition. For the 2015-16 school year, the School District of Philadelphia will collect expulsion data (4).

Based on this response, the Deputy Chief explained to me (via email) that she believed a "definition mismatch" occurred. She noted that "the District did not classify any student as expelled in the 2013-14 year" because its definition of the disciplinary event ran counter to the definition provided by the federal government. Similarly, regarding school-related arrests, the District noted the following:

The collection of data regarding incidents referring to law enforcement will be done as follows. There is an incident data warehouse that collects all serious and violent incidents within the District. The data contain a field regarding whether or not the police were called and the officer's badge number if the police were called to the school. This field will be used to count the number of incidents involving students with and without disabilities where law enforcement was referred to for the 2015-2016 [CRDCT] submission (4).

In response, the Deputy Chief shared with me that she believed, at the time, the data system "did not include Student ID[ numbers]"—resulting in an inability to disaggregate them in the way that the CRDCT requested.

In this instance, lacking succinct definitions and insufficiently collecting disciplinary data resulted in the loss of informative data points. Therefore, during SY 2011, while it seems as though no expulsions occurred, students could have very well experienced that disciplinary action. Due to the district not labeling students as experiencing this punishment due to semantics, researchers will never know how accurate these data are. Thus, in the future, the SDP should prioritize definition standardization that closely aligns with the federal government's existing definitions of disciplinary actions. Local, state, and federal synergizing of punitive terminology will allow for easier, streamlined data collection. This would subsequently have the positive consequence of informing future research on matters—such as racialized and gendered disparities in punitive practices—and which students are more likely to come in contact with law enforcement.

Ultimately, I believe that while this thesis cannot make definitive claims about students who are excessively funneled into the school-to-prison pipeline, it identifies where future research could begin. During SY 2011, both Black boys and girls experienced the highest rates of school-related arrests. A comparative intra-gender analysis during the same SY indicates that Black female students are 3.67 times more likely to experience this punishment than white female peers, yet Black boys were 2.00 times more likely than white male peers to experience a school-related arrest. Thus, this SY highlights Black students generally experiencing higher punitive rates than their white peers, but Black girls as *particularly* experiencing the highest risk of school-related arrests. With adequate and accessible data, researchers and policymakers can make more substantial claims regarding trends showing whether Black boys and girls suffered these harsh consequences for multiple SYs.

## ***V: Alternatives to Current Disciplinary Practices***

In this thesis's penultimate chapter, I would like to explore two existing alternatives to current punitive practices: Positive Behavioral Interventions and Supports (PBIS) and Restorative Justice (RJ). Dr. Monique W. Morris is a leading figure within discourses focused on Black girls in relation to both practices. Thus, much of the information that ensues stems from her work.

PBIS is a multi-tiered systems approach to catalyzing "prosocial behavior" among students through continuous, proactive discipline procedures. Dr. Morris identifies the three groups of students that PBIS promotes prosocial behavior among: "... (a) students without chronic problems (primary prevention), (b) those students at risk for problem behavior (secondary prevention), and (c) students with intensive behavioral needs" (Morris 2018, 207). One can break the aforementioned student groups into three tiers, respectively, with students demonstrating the most intensive behavioral needs (Tier 3) requiring niche support relative to students without ongoing disciplinary issues (Tier 1).

Tier 1 serves more as a framework for providing school-wide support to students and teachers through matters like establishing school-wide behavioral expectations, school routines, evidence-based classroom management, and a system for recognizing behavior deemed appropriate (Lee & Gage 2019, 784). Meanwhile, students in Tier 2 may undergo group-based strategies such as smaller classes wherein students can check-in or build social skills alongside peers showing similar behaviors (Lee & Gage 2019, 784). Whereas Tier 2 often assumes a group approach for promoting prosocial behavior, Tier 3 aims to provide the most intensive behavioral supports to students in need of individualized intervention plans. Ultimately, PBIS is a capacity-enhancing mechanism that aims to stymie disruptive behaviors while also encouraging

students to engage in administrator-desired practices. Typically, a behavior coach is placed on-site, allowing experienced personnel with PBIS to help implement the framework through existing structures present within the educational environment (Bradshaw et al. 2008, 463).

Research shows that students, teachers, and educational environments experience positive results upon implementing PBIS within their schools. According to the PBIS website, schools that implement the framework frequently observe the following benefits:

improved academic performance, reduced bullying behaviors, improved social-emotional competence, improved social and academic outcomes for students with disabilities, decreased rates of student-reported drug and alcohol abuse, reduced office discipline referrals, suspensions, and improved teacher outcomes, including perception of teacher efficacy; organizational health and school climate, and the perception of school safety (PBIS Website).

Additionally, PBIS involves staff and administrators detailing an agreed-upon system for responding to behavioral infractions—including defining which actions require administrative discipline and which are solvable within the classroom (Bradshaw et al. 2008, 463). In addition to PBIS implementation’s positive outcomes, the framework also formalizes a system whereby disciplinary data collection, analysis, and utilization are prioritized to guide future program implementation decisions (Bradshaw et al. 2008, 463). Research indicates that educators have the power to divert students from entering school-to-prison pipelines through “establishing relationships of mutual trust, building a caring learning environment, and applying positive behavioral approaches” in response to disciplinary infractions (Coggshall, Osher, & Colombi 2013; Wilson 2014, 51). Therefore, PBIS has the potential to establish a culture wherein stronger

bonds are formed between teachers, administrators, and Black girls demonstrating harmful behaviors.

In New Hampshire, statewide implementation of PBIS (which reached more than 38,000 youth within the state—98 percent of whom were public school attendees) resulted in reduced ISS, OSS, and office discipline referrals; as well as increased instructional time and “administrative leadership” time (Morris 2018, 207; Muscott et al. 2008). The state introduced PBIS in 124 public and private preschools and K-12 schools. Muscott et al. (2008) found that “[i]mplementation was associated with academic gains in math for the vast majority of schools who implemented with fidelity” (Muscott et al. 2008). Specifically, 20 percent of middle schools experienced increased math scores, and 41 percent of New Hampshire schools that implemented PBIS witnessed “improvement in reading and language scores” (Morris 2018, 208; Muscott et al. 2008). These students, then, academically benefited from an alternative disciplinary culture that prioritized evidence-based approaches to helping them cultivate prosocial behaviors.

Nonetheless, there are some shortcomings to PBIS as an alternative disciplinary practice. Although New Hampshire cases are promising and evidence PBIS’s success, details of the positive impacts of PBIS have failed to consider how racial bias may influence interventions. Morris rightfully emphasizes that, while Black and Latino youth were included in studies on PBIS, they were not created to:

examine the specific behaviors for which PBIS interventions (by tier) were determined and whether those interventions varied in effectiveness by levels of youth cognition, perceived racial bias, stereotype threat, law enforcement reactivity, or other attributional features that may impact student behaviors in schools (208-209).

Consequently, PBIS and its outcomes are promising yet fail to address the conditions within a school that allow issues of disproportionate discipline and marginalization of youth of color to fester. In turn, implicit biases and analyses considering oppressive educational environments built upon sexism and racism are overlooked in place of prioritizing behavior modification. Similarly, many of the data touting the success of PBIS are centered in districts that are not majority-minority. Therefore, while New Hampshire schools' success is laudable, New Hampshire schools' demographics are incomparable to those of the SDP, BPS, or NYCPS.

Accordingly, the sociocultural values and attitudes that guide the PBIS model necessitate critique. Wilson (2015) addresses the limitations of PBIS regarding its sociocultural values and behavioral data collection practices. The author begins her article by recognizing that the hierarchical three-tiered system relies on a top-down approach wherein a school's administrators determine what norms will constitute the broader school culture (e.g., be respectful and be responsible) (Wilson 2015, 92). Nevertheless, cultural practices and behaviors deemed favorable by administrators may clash with the culture of the student body itself—especially within majority-minority public schools. Whereas students of color comprised 34 percent of the student body in U.S. public schools (15.4 percent Hispanic American and 12 percent African-American), minority public school teachers comprised just 17 percent of educators (8 percent African-American, 6 percent Hispanic American) (Aud et al. 2010; Dee 2004; Wilson 2015, 92). The lack of representation within school administrative positions persists today and reifies the reality that “school administrators may be more likely to select behaviors associated with their Eurocentric culture” (Wilson 2015, 92). As a consequence, under PBIS, Black girls attending public schools may still experience punishment at higher rates due to compounding implicit bias grounded in racism and sexism held by teachers and administrators.



Therefore, PBIS's investment in student behavior correction (predominantly through continued use of school discipline practices) does not assure safe conditions for knowledge-seeking Black girls. Per contra, RJ's method of engaging in a paradigmatic shift away from rigid, punitive practices toward rehabilitation and accountability makes it one worth considering. Morris defines RJ as a paradigm that "emphasizes the repair[ing] of relationships when a harmful incident has occurred" (Morris 2018, 210). The transgressor and individuals who experienced the wrongdoing are brought together to communally address obligations, engage stakeholders, employ cooperative and collaborative processes, and prioritize both injuries and needs (Morris 2018, 210). Historically originating from Indigenous cultures globally, the practice of RJ allows a student to:

1. Understand the harm that they caused;
2. Comprehend that their misconduct necessitates them engaging in specific actions to amend that harm; and
3. See that successful restoration requires community participation and engagement.

In schools, RJ assumes the form of restorative circles, mediation and counseling, family group counseling, and peer juries—each of the aforementioned exercises offering a student an opportunity for reconciliation and reparation of their harm (Morris 2018, 212).

In addition, Illinois, Minnesota, California, Massachusetts, and other states have successfully adopted comprehensive restorative practices within their schools—with some states also having their DOEs praising RJ as an effective alternative to zero tolerance disciplinary interventions (Morris 2018, 211). Researchers found positive results produced by instituting restorative practices at West Philadelphia High School (contemporarily known as Promise Academy @ West Philadelphia High School). Following RJ practices' immediate

implementation in fall 2008, from April to December of the same year, “suspensions decreased by half and recidivism plummeted” (Gonzalez 2012, 316). Even more, post-implementation, violent acts and serious incidents decreased by 52 percent during SY 2007-2008 relative to SY 2006-2007; and, successively, violent acts and serious incidents decreased “an additional 40 percent for 2008-2009” (Gonzalez 2012, 316). The positive gains witnessed at West Philadelphia High School—a member of the SDP network—points to benefits that all district schools could reap.

Although RJ has appealing qualities, it is also important to recognize the difficulties encompassing implementing programs centered around the reparative concept. First, RJ requires an educational institution to philosophically shift from punitive and exclusionary practices. Fully divesting from zero tolerance and retributive cultures within schools will require multi-level capacity, buy-in, financial resources, and correctly executed implementation from all stakeholders involved. In this manner, PBIS may be the more sought-after alternative for schools that believe they are not ready to radically shift their disciplinary culture. While PBIS also requires institutional resource allocation and time, its reliance on establishing a foundation upon existing capacity may result in administrators perceiving it as more cost-effective.

Correspondingly, another challenge that may arise is that schools that excessively punish their Black students (and students of color broadly) may be less inclined to implement RJ programs and practices. Payne and Welch (2013) found that schools with “proportionally more Black students are less likely to use [RJ] techniques [such as student conferences, peer mediation, restitution, and community service] when responding to student behavior” (539). Their study found that when Black student composition was not considered, schools with a greater proportion of students who receive free-or-reduced lunch and a smaller percentage of

Hispanic students were less likely to utilize restorative practices (Payne & Welch 2013, 554). Nonetheless, they concluded that Black student composition served as the strongest indicator of a school's likelihood to employ comprehensive RJ discipline (Payne & Welch 2013, 554).

Lastly, the lack of research supporting RJ practices' effectiveness when considering simultaneously both race and gender is problematic. Scholars recognize the positive effects that restorative practices pose for girls, especially those in the juvenile justice system, regarding relationship reparation, lowered recidivism, feelings of control over one's self-development, and strengthened bonds with family and friends (Gaarder & Hesselton 2012; Rodriguez 2007; Hubbard Maniglia 2007; Morris 2018, 221-222). Nevertheless, a dearth of research exists that considers gender-responsive RJ practices that simultaneously prioritize race and ethnicity within its framework—and the advantageous results that flow from this approach. This lack of an intersectional practice that centers restorative, gender-responsive practices through the lens of race complicates one arguing RJ's promise of ending Black girl's disproportionate punishment under current punitive paradigms.

Further, RJ poses a potentially significant issue: the model itself or its implementation may not necessarily pose a challenge, but an administration's *disinclination* to establish it may. Altogether, both PBIS and RJ present their constraints. Nonetheless, they are two paradigms that present hopeful realities wherein exclusion is not at the core of disciplinary responses. They, then, present a potential future wherein schools can empower their Black female students to amend mistakes while staying invested (and physically present) within schools.

## **VI: Research and Policy Implications**

Many people within the United States praised Black women, such as Vice President Kamala Harris and Stacey Abrams, for being pivotal Black female leaders during the 2020 presidential election cycle. Both women, however, were not simply *born* change agents and key political figures. They matured into these roles through lived and educational experiences. Black girls in districts like the SDP have the potential to be Vice Presidents or voting rights activists. Nonetheless, their continued exclusion from educational spaces due to misconduct will disallow them from achieving this potential.

This thesis contributes to political sociology, political theory, and education policy discourses by investigating punitive paradigms within public schools. It presents evidence that supports the notion that disaggregated quantitative analyses simultaneously considering gender and race are critical. Through the SDP, this research also highlights that an intra-gender analysis utilizing the lens of race and ethnicity underscores Black girls' increased risk of experiencing punishment at alarming rates. Their multiple marginalities as both Black children and female students must be recognized and prioritized within disciplinary research. Additionally, this thesis stresses the need to explore further how partnerships between law enforcement and the SDP may be excessively funneling Black girls into school-to-prison pipelines and school-to-confinement pathways more than their male and female counterparts across races.

The school-related arrests data present for SY 2011 indicated that Black girls were more likely than Black boys to experience hyperpenalization when conducting an intra-gender analysis between Black and white students. Unfortunately, an absence of a majority of the data prevented me from reaching conclusions that I hoped to explore regarding schools forcing Black girls into the justice system. Assuming that the data becomes accessible in the future, future researchers

should explore this concept further. Investigations into school-to-confinement pathways could further catalyze arguments made by scholars like me that Black girls experience hyper-punishment at excessive rates *alongside* Black boys. Solely centering Black boys within these conversations is neither adequate nor accurate given Black girls' rates.

My initial plan for this thesis involved engaging in a multi-method analysis wherein I would complement quantitative findings with qualitative interviews similar to other scholars (Crenshaw, Ocen & Nanda 2015; Morris 2018). Unfortunately, COVID-19 complicated the latter due to safety concerns and difficulties preparing interview materials in time. Therefore, I envision future research extending the findings within this thesis by including interviews with Black girls in the SDP. While this project serves as a channel for telling Black girls' stories, they deserve to voice their own stories and experiences concerning school disciplinary practices. It is critical that researchers directly engage Black girls and their educators in schools to illuminate what data cannot: how zero tolerance policies and their disproportionate application have demonstrable impacts on one's autonomy, beliefs, actions, and relationships in educational environments. Additionally, to bolster the generalizability of Crenshaw, Ocen, and Nanda's findings, future research should consider disciplinary data of other majority-minority districts when disaggregated by race and gender. The previously mentioned scholars', however, findings regarding Black girls' increased risk of suspension and expulsion were sustained as per this thesis's findings.

Further, this issue of asymmetrical impositions of exclusionary punishments upon Black female students has international implications. For example, in the United Kingdom, scholars, such as Dr. Harry Daniels at Oxford University, are conducting research investigating how Black youth experience temporary and permanent exclusions at higher rates. This budding academic

interest in exclusionary policies through the lens of race can expand conversations concerning zero tolerance on a global scale if combined with current intellectual discourses within the United States. Many of these conversations within the United Kingdom solely consider the implications of race upon student experiences of exclusion—especially during the coronavirus pandemic. Nevertheless, future research can and should bridge together these two interconnected conversations happening in different contexts. It should especially ensure that international comparative analyses prioritize disaggregating data by race *and* gender because an analysis exclusively considering the latter will not prove as fruitful. Relatedly, it is not enough to solely look at African Caribbean boys: an intra-gender analysis could uncover neglected hyperpunitive experiences of African Caribbean girls (Osler 1997).

In addition to the research implications that encompass this thesis, there are also important policy implications. First, the SDP should standardize its data collection and disciplinary definition practices. The 2015 Action Plan demonstrated how the SDP successfully claimed that they “do not expel students” because schools sent expelled students to alternative schools. Semantics like this, which deviate from standard definitions of expulsion, complicate accurate data collection and portrayal. Correspondingly, the 2015 Action Plan also included the District noting that it would collect school-related arrest data in a way that would allow them to submit findings for the 2015-2016 CRDCT submission. Even still, there is no available school-related arrests data for neither SY 2015 nor SY 2017. The Deputy Chief’s suggestion that the data system failed to collect student ID information in a certain manner negatively impacted my ability to analyze disciplinary data for this punitive event. Therefore, it is of the utmost importance that the SDP strongly considers strengthening their data collection and definition practices, especially since critical research depends on it.

This thesis can also support the SDP's Goals and Guardrails initiative, a strategic plan created by the School Board of Philadelphia to guide Superintendent William R. Hite's actions. For the past two decades, the Board has recognized the District's "survival mode" status as many schools have struggled to stay afloat and student achievement continues to suffer. Guardrail 4, "Addressing Racist Practices," requires that the Board evaluate current disciplinary practices within SDP schools. The Board of Education's Indicator 4.2 states that it aims to have suspensions experienced by Black or African-American students "decrease from 72.6% in August 2021 to no more than 48.3% (proportional to the population as a whole) by August 2026" (School District of Philadelphia Evaluation, Research & Accountability Office 2020).

If the Board is *genuinely* committed to not limiting students' potential "by practices that perpetuate systemic racism and hinder student achievement," it must consider alternatives to existing punitive measures (School District of Philadelphia Evaluation, Research & Accountability Office 2020). Implementing restorative practices across the district could lead to the positive statistical results found at West Philadelphia High School after implementing RJ. Additionally, if prior research is correct, maintaining current hyper-punitive practices and compelling excluded students to engage with law enforcement will only result in an increase in suspensions for Black students rather than the decrease they hope for. Through PBIS or RJ, gender-responsive alternatives that concurrently prioritize race have the potential to transform education within SDP schools in ways that the district has yet to see.

Further, the policy implications of this thesis also are applicable on a national level. The GESA of 1994 arguably accelerated punishment in schools, prompting the invariable and dissimilar application of severe consequences across the country. Unfortunately, Black and Brown students (especially those hailing from low-income backgrounds) have historically

received the brunt of these punishments. In turn, revisiting the legislation is long overdue. One-size-fits-all policies for students with varied needs and circumstances prove harmful when said policies offer immense leeway concerning implementation.

To conclude, the United States is experiencing a watershed moment marked by calls for genuine systemic transformations, not band-aid solutions to deep-seated inequity and oppression. Consequently, an aspect of truth and reconciliation regarding the role of race and systems of oppression present within the nation requires a reconsidering of the GFSA. The legislation was crafted during an era wherein Black children, particularly Black young men, were constructed as villains. The repercussions of this law, however, are felt by youth of color across races—notably *girls* of color. Black girls are just that: young women navigating personal challenges unique to their lived experiences coupled with socially manufactured perceptions that constrain their agency through negative definition construction. While the data that I presented highlights quantitative discrepancies, my earlier discussion of power helps produce the normative policy prescriptions present above. Black girls' disempowerment through punitive practices is multi-layered: not only are power's four faces compounded, but Black girls' marginalized gendered and racial identities are *also* compounded.

Thus, a confluence of Black girls' inter-personal relationships within schools and interactions with institutional structures produce unique instances of discrimination for these young women. Their deviation from social attitudes, beliefs, and norms casts them as deviant—as “other” in sexist and racist ways. Considering discourses of power alongside quantitative data highlights how the discriminatory treatment experienced by Black girls is profoundly harmful and wrong. As it currently operates within the school setting, power is predicated upon a type of sexist racism that outcasts Black girls through punitive measures. Despite misbehaviors or



cultural malalignments, they also deserve empowerment, knowledge, and forgiveness—because they are not their mistakes. Furthermore, I hope to see more scholarship arise grounded in theoretical concepts such as standpoint or intersectionality theory—aiming to determine how adults in educational communities with multidimensional Black girls can support these young women as they step into their power and voice their needs.

**VII: Appendix: Intra-Gender Analysis Comparing Black and White Students' Risk Ratios**

**2011**

	<b>In-School Suspension</b>	<b>Out-of-School Suspension</b>	<b>Referral to Law Enforcement</b>	<b>Expulsion</b>	<b>School-Related Arrests</b>
<b>Black Boys</b>	6.5%	21.0%	1.5%	0.0%	1.4%
<b>White Boys</b>	3.2%	10.0%	0.8%	0.0%	0.7%
<b>Risk Ratio</b>	2.03	2.10	1.88	0.00	2.00

	<b>In-School Suspension</b>	<b>Out-of-School Suspension</b>	<b>Referral to Law Enforcement</b>	<b>Expulsion</b>	<b>School-Related Arrests</b>
<b>Black Girls</b>	4.1%	11.5%	1.2%	0.0%	1.1%
<b>White Girls</b>	2.1%	4.3%	0.3%	0.0%	0.3%
<b>Risk Ratio</b>	1.95	2.67	4.00	0.00	3.67

**2013**

	<b>In-School Suspension</b>	<b>Out-of-School Suspension</b>	<b>Referral to Law Enforcement</b>	<b>Expulsion</b>	<b>School-Related Arrests</b>
<b>Black Boys</b>	1.5%	24.0%	0.0%	<b>No record</b>	<b>No record</b>
<b>White Boys</b>	1.3%	10.0%	0.0%	<b>No record</b>	<b>No record</b>
<b>Risk Ratio</b>	1.15	2.40	0.00	<b>No record</b>	<b>No record</b>

	<b>In-School Suspension</b>	<b>Out-of-School Suspension</b>	<b>Referral to Law Enforcement</b>	<b>Expulsion</b>	<b>School-Related Arrests</b>
<b>Black Girls</b>	1.0%	13.6%	0.0%	<b>No record</b>	<b>No record</b>
<b>White Girls</b>	0.9%	4.3%	0.0%	<b>No record</b>	<b>No record</b>
<b>Risk Ratio</b>	1.11	3.16	0.00	<b>No record</b>	<b>No record</b>

## 2015

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests
Black Boys	0.9%	19.4%	7.8%	0.4%	No record
White Boys	0.8%	6.8%	3.8%	0.1%	No record
Risk Ratio	1.13	2.85	2.05	4.00	No record

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests
Black Girls	0.5%	11.7%	5.3%	0.3%	No record
White Girls	0.3%	3.5%	2.4%	0.1%	No record
Risk Ratio	1.67	3.34	2.21	3.00	No record

## 2017

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests
Black Boys	1.3%	13.0%	6.0%	0.2%	No record
White Boys	0.9%	4.3%	2.1%	0.1%	No record
Risk Ratio	1.44	3.02	2.86	2.00	No record

	In-School Suspension	Out-of-School Suspension	Referral to Law Enforcement	Expulsion	School-Related Arrests
Black Girls	0.7%	8.4%	3.9%	0.2%	No record
White Girls	0.3%	1.6%	0.8%	0.0%	No record
Risk Ratio	2.33	5.25	4.88	#DIV/0!	No record

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