A Failure of Imagination

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The Initial Shock and (Over)Reactions to COVID

On March 11, 2020, the World Health Organization (WHO) classified the coronavirus, SARS-CoV-2 (commonly known as COVID or COVID-19), as a pandemic. In spite of the many worldwide efforts aimed at limiting the spread and effects of the disease, WHO suggests that to date more than 615 million COVID-19 cases and over 6.5 million related deaths, worldwide, have been confirmed. Equally important, the ravages of the pandemic show only few signs of waning. As new variants, each seemingly more transmissible than the previous, emerge, the COVID-19 virus remains a clear and constant threat in many parts of the globe and many aspects of daily life, including education and student conduct.

The initial shock and the persistent nature of the virus led not only to existential questioning of relationships and hopes for the future, but also a disharmony between what was once known and what has become the new normal. These tensions, between old and new, are referred to as disjuncture – the conflict that occurs when longstanding ways of seeing, doing, and believing collide with and are super-ceded by unexpected and unimaginable new realities (Jarvis, 2012). In this cauldron of uncertainty, panic and fear exacerbate existing tensions (Agamben, 2020) and lead, in the case of students, to deteriorating mental health that manifests itself in a myriad of ways.

One horrific example of the mental health toll that the ongoing COVID-19 pandemic has taken is the surge in suicide attempts in the United States and around the world. Indeed, Cousien and his colleagues (2021), in a study based in Paris, France, suggest that "the COVID-19 pandemic is associated with profound changes in the dynamics of suicide attempts among children" (Cousien et. al, 2021, p. 4). Within the borders of the United States, the Center of Disease Control (CDC) also charted an unprecedented 31% increase in adolescents admitted to emergency rooms for attempted suicide in 2020. Together, these studies clearly indicate an evolving and complex mental health catastrophe among the world's youth.

While suicide might well be considered the pinnacle of the mental health crisis, social and emotional stress can also be seen in daily interactions and confrontations in schools, on playgrounds, and at social gatherings. As students returned and readjusted to in-person schooling, many school-based professionals underestimated the challenges that schools, teachers, and students would face. Across the country, the peri- and post-pandemic periods have seen increases in student behavior referrals, instances of in-school vandalism, and physical altercations.

To counteract these alarming trends, many schools sought to tamp down student misbehavior by implementing policies that are more coercive than restorative. In particular and in spite of ample evidence that suggests their ineffectiveness in changing behaviors and outcomes (Casella, 2003; Miller, 2001; Harcourt & Ludwig, 2006; Ho, A & Cho, W, 2017), there is a marked increase in "zero-tolerance" guidelines that assign high-stakes punitive measures to students, no matter the nature of the offense. These policies are grounded in a form of results-oriented approaches (Pollitt & Bouckaert, 2011) to persistent social ailments that resonate well with white middle-class citizens because they appear efficient, appropriate, and targeted at others.

Zero-tolerance policies can be traced to the Broken Window Theory. This concept, introduced by James Wilson and George Kelling (Wilson & Kelling, 1982), responded to lingering frustrations with the drug epidemic that swept the nation in the early 1980s (Skiba, 200). As Livermore (2008) notes, the theory suggests that broken windows "in high crime areas…are a symbolic communicator of disorder which supports the creation of a culture of disordered and anti-social conduct" (p. 2). Malcolm Gladwell popularized the concept in *The Tipping Point: How Little Things Can Make a Big Problem* (Gladwell, 2000) and the follow up book, *Blink* (Gladwell, 2005). In theory, Gladwell (2000) poses the premise that "an epidemic can be reversed, can be tipped, by tinkering with the smallest details of the immediate environment" (p. 146). In short, the eradication of even the smallest infraction pays much larger dividends, including stigmatizing (and eventually eliminating) socially deviant behaviors.

While rarely articulated, the fundamental role of personal choice, personal integrity, and strong personal morals is crucial to fully understanding The Broken Window Theory. By suggesting that personal freedoms, illusionary at best, are joined with punitive consequences for acting against social and criminal norms, individual actors are motivated to make the "right" choice. Indeed, Broken Windows Theory relies not on coercion as a mechanism of changing behavior, but rather the confidence that wrongdoers will be surveilled, apprehended, punished, and perhaps even guilted into more appropriate social interactions. If guilt and the promise of punishment are insufficient, social miscreants who do not possess the self-control and social graces required for polite society will be quickly and neatly found and stashed away – out of sight; out of mind.

While seemingly concerned with criminal actions and community disorder, the Broken Windows theory merges with zero-tolerance policies when an emphasis is placed on segregating "undesirable persons" – the broken window – from "decent folks" (Wilson & Kelling, 1982, pp. 4-7). Fundamentally, this interpretation of the Broken Window Theory establishes binary understandings of human nature. There is good and there is bad. Livermore (2008) distills the essence of this dichotomy by correctly noting that "[Under] the zero-tolerance ideology, the socially maladapted are the broken windows to be fixed—but even more often to be weeded out to create a better society" (p. 2).

With its emphasis on surveillance and control, the Broken Windows Theory and its concomitant focus on discipline and punishment is particularly appealing to politicians who self-styled as law-and-order candidates. One noteworthy example is Rudolph Giuliani, the Republican nominee in the 1993 New York City mayoral contest. As he faced off, for a second time, with David Dinkins, Giuliani galvanized the belief that strict policing of petty offenses, even with potential violations of civil rights, results in the elimination of major crimes (Greene, 1999). Giuliani's rhetoric and diatribes against marginalized communities and his blatant appeal, along racial and economic lines, to middle class and Jewish voters, especially in the aftermath of the Crown Heights Riots (1991), were effective in splintering the Jewish and white middle-class vote from their previous political moorings. Giuliani's razor-thin victory cemented surveillance and discipline as a political weapon while also laying the groundwork for fulfilling his campaign promises of raising the quality of life through the criminalization of petty crimes and disorderly conduct for New York City residents.

Surveillance and discipline, the basic foundations of zero-tolerance, fit neatly within what Deleuze (1992) terms "societies of control." In these systems of enclosure, individuals pass from one surveilled environment to another, each possessing its own rules and its own punishments. Yet, while idiosyncratic, the control systems form a continuum that inevitably places individuals in an amorphous, ever-evolving and inescapable ecology of discipline that has, as its end goal, the removal of problems from public view (Foucault, 1977). Though tempting to corral these control-oriented systems with a judicial frame, they extend far beyond policing and incarceration and enter into, as Deleuze (1992) suggests, families, hospitals, prisons, and yes, schools.

Despite rhetoric suggesting democratic and egalitarian aims, schools serve a primary function of sorting and classifying individuals into, as Massey (2007) suggests, “a social structure that divides people into categories” (p. 242). This requires the construction of consistent and unchanging attributions – including the binary “good” and “bad” labels prevalent in the Broken Window Theory. As trouble in the nation’s urban schools, especially New York, Philadelphia, and Los Angeles, escalated in the 1990s, politicians and school administrators espoused get-tough legislative initiatives to stem what they believed to be a rising tide of misconduct and violence. These included, among others, the Crime Control Act 1990, the Gun-Free School Zones Act 1990, and George W. Bush’s 1991 *America 2000* (Greene, 2005). Each of these focused on specific areas of school violence, but together they called for policing actions that would render the U.S. American schools were safe by the turn of the 21st century. Importantly, the cleansing process began by imposing strict, one-size-fits-all punishments – a hallmark of zero-tolerance approaches – on petty school-based crimes and minor infractions.

Zero Tolerance in Schools Today

The peri- and post-COVID return to in-person schooling that occurred in late summer 2021 was met with a wave of enthusiasm and joy for the arrival of a normal school year. Few anticipated the on-going effects that social isolation, personal challenges, and psychological discomfort had on students. Even fewer recognized the trauma and burnout that teachers faced. As the toxic, yet invisible mixture of lingering trauma, continued fear, and uncertainty about the future brewed in schools, so did more visible signs of trouble. Educators across the nation saw heightened challenges related to school-based misbehavior, including fights, perceived disrespect, and vandalism.

Given real concerns for student safety, it is not surprising that some schools, in an effort to stem the rising tide of violence, have reinstituted zero-tolerance policies. As Huang and Cornell (2021) note, these policies, though largely ineffective and blatantly racist, have been largely supported by faculty and teacher advocacy groups, such as American Federation of Teachers and the National Education Association, because of the belief that they deter student misbehavior and keep schools safer (Boylan & Weiser, 2002).

While zero-tolerance policies are gaining in popularity, they are not new to public education. They reached their pinnacle in the late 1990s when over 80% of U.S. American schools had some form of the disciplinary approach in place (Heaviside, Rowand, Williams, & Farris, 1998). Laws and federal regulations such as the Gun-Free Schools Act of 1994 were part of “get tough on crime” modalities of the 1990s and required mandatory suspensions or expulsions for the possession of weapons/firearms/ alcohol/tobacco products and any violent action (Heaviside, et. al., 1998).

Though seemingly reasonable, the new laws were often accompanied by over-zealous implementation. Just a few cases exemplify the horrendous consequences of minor infractions whose punishments were codified by zero-tolerance approaches. In 2008, a fifth-grade student who was on the honor roll was expelled after she picked up her mother’s lunch box by mistake and brought a paring knife to school (American Psychological Association, 2008). Also, in 2008, a 12-year-old who had been diagnosed with a hyperactive disorder told his lunch mates not to eat all the potatoes, or "I'm going to get you." Citing the student's threat of terrorism, this simple statement led to a two-day suspension. And finally, Alexa Gonzalez, a 12-year-old student used an erasable marker to write on her desk – a violation of school policy. Her actions were deemed vandalism and she was arrested, handcuffed, and taken to a New York City police precinct (Maxime, 2018).

While these arrests and suspensions are criminal enough in their own right, zero-tolerance policies also disproportionately affect communities of color (Okilwa & Robert, 2017; Kafka, J., 2011), leading to criminalization of Black and Brown bodies. Importantly, the over-policing of minority communities has led to the questioning of the legitimacy of law enforcement and has, by extension, contributed to ongoing adversarial relationships between law enforcement and Black and Brown communities.

While reactionary responses to the drug-fueled gun violence of the late 1900s have largely faded from memory, zero-tolerance policies remain in effect in many states and school districts (Curran, 2019; Means, 2013). Although data on school-level discipline in the peri- and post-Covid periods are not yet available, *The Hechinger Report* requested current information from more than10 school districts – large and medium – around the United States. A preliminary analysis suggests that while some disciplinary actions are down, suspensions and expulsions are either nearing or exceeding pre-pandemic levels (Mathewson, 2022).

The consequences of these punishments are clear and disheartening. Students who are victims of zero-tolerance punishments are at increased risk of dropping out of school by choice (White, 2007) or entering the juvenile justice system after being forced out of school (Kang-Brown, 2021). Indeed, a study conducted by The Center on Youth Justice at the Vera Institute of

Justice found that “For similar students attending similar schools, a single suspension or expulsion doubles the risk that the student will repeat a grade. Being retained a grade, especially while in middle or high school, is one of the strongest predictors of dropping out” (Kang-Brown, 2021, p. 5). The study also found that youths who received prior suspensions were 68% more likely to drop out of school. It is clear that zero-tolerance policies harm the community, directly cause an increase in student dropout rates, and do relatively little to actually improve behavior in students.

Hope on the Horizon

School-based personnel are well aware of the correlation between suspensions and student dropout rates. As a result, many schools have attempted to reduce the amount of suspensions and expulsions given to students. However, even though reducing suspensions is a step in the right direction, it still does not address the root causes of student misbehavior. Many schools fall into the trap of eliminating suspensions without implementing any other strategy to address behavior. As a result, teachers feel burnt out and unsupported by administrators, and students feel unsafe due to the lack of boundaries. One solution to this problem is the idea of restorative practices in schools.

Restorative justice, also called restorative practices, are a growing movement that seeks to find peaceful and non-punitive solutions for addressing harms (Fronius, 2016). A restorative approach to harm seeks to involve both the impacted person(s) and the community in the process of rebuilding important community relationships. The rights of those impacted are respected and an emphasis is placed on making things right. The harmful behavior is addressed in a way that promotes repairing harm and building relationships rather than traditional exclusionary methods (Fronius, 2016). There are many examples and ways to implement restorative practices in schools, but the one thing they have in common is a focus on restorative solutions instead of traditional punitive consequences.

The benefits of implementing restorative practices in school are many. A study done by the International Institute for Restorative Practices found that implementing restorative practices in Baltimore schools reduced suspensions by 61%, office referrals by 91%, and reduced the number of students with multiple suspensions by 77% over the course of 4 years (International Institute for Restorative Practices, 2014). Especially interesting were the data points that showed restorative practices reduced student aggression by 26% and improved social skills by 20% (International Institute for Restorative Practices, 2014). In addition, restorative practices are significantly more equitable. The International Institute for Restorative Practices study showed that schools that implemented restorative practices significantly reduced the number of African American and Latino students referred for defiance and misconduct (International Institute for Restorative Practices, 2014).

Implementing restorative practices in a school is not by any means a straightforward task. Typically, teachers are already weary of new “programs” and many are convinced that the problem is with students not respecting teachers. Others feel like the old ways of discipline are the best because they are more familiar to them. As such implementing restorative practices can be a struggle. A great start is community building circles in the classroom. Students stand in a circle and pass around a talking piece. Each day they answer questions or have a class discussion. This can be about something simple such as “what’s your favorite color?” and can evolve into deeper questions such as “what does it mean to be a good friend?” by familiarizing a class with the rules of a circle, it can slowly be used to address classroom behaviors and solve problems as a community. Many schools in Chicago have switched over to a restorative system.

They utilize peer juries and peace circles to address harms caused by students. The restorative justice model utilized by Chicago public schools has helped to get police out of the schools, and to empower students to advocate for themselves and each other.

In addition to restorative justice models, School Wide Positive Behavior Support (SWPBS) systems create school-level positive and preventative behavior approaches that have been found productive in stemming student misbehavior (Simonsen & Sugai, 2019). In short SWPBS is “a multi-tiered framework that guides the organization of behavior support within a school with the goal of improving both behavior and academic outcomes for all students” (Lewis & Sugai,1999). In short, three tiers, or levels, of intervention exist. As August and his colleagues note, “Tier 1 interventions generally consist of a school-wide code of behavioral expectations that are explicitly taught to all students and reinforced. All students regardless of their degree of risk are exposed to a general classroom management system including clear behavioral expectations and supports” (August et al., p. 86). If students do not respond well to these initial interventions, Tier 2, or more focused supports – often occurring in small -group settings – are implemented (August et al., 2018). And finally, for persistent behavioral challenges, Tier 3 supports are put in place. In these, students are often referred to special counseling or offered “function-based individualized intervention plans” (August et al., 2018, 86).

Importantly, a case study conducted in an urban school suggested a decrease in both the number of office referrals and Tier 2 or 3 supports when Tier 1 supports were successfully implemented (Bohanon et al., 2006). Another study, more recent (Flannery et al., 2014), explored behavioral outcomes at 12 schools, 8 of which had implemented SWPBS interventions. This study suggested statistically significant positive changes in office visits, suspensions, and expulsions related to in-school behavior. Though it is important to note that successful implementation of SWPBS models might take longer than traditional behavior management practices and require complex systems thinking (Freeman et al., 2015).

While context, including school size and educational level, can make SWPBS more difficult to implement (Flannery, et. al, 2013), the benefits are clear. By focusing on growth rather than punishment, students in schools that offer school-wide Positive Behavior Supports are less likely to engage in the kinds of activities that zero-tolerance policies target. Schools become safer and students develop skills that enable them to manage the complexities of their daily lives.

From Failure to Imagination

It's clear, from decades of failed attempts to modify behavior through stringent and aggressive punishments, that zero-tolerance policies are not only ineffective, they are counter-productive. Simply put, these draconian measures have little to no impact on disruptive classroom behaviors. Perhaps equally important, they also severely damage the morale of students, discriminate against students of color, and harm the climate and culture of a school. Explicitly modeling and teaching restorative skills to students allows them the opportunity to hold one another accountable for their actions, and gives the person who committed a harm a chance to repair damaged relationships. Importantly it helps teach students that their experiences and feelings have value.

Society and schools must unshackle themselves from the failure of imagination that results in systems of punishment that do little more than alienate students and create hostilities across broad swaths of the nation’s population. Restorative justice and school-wide systems of support are practices that not only offer the skills that students need for self-advocacy, they also re-engage the distinctly human nature of education.

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