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ZERO TOLERANCE:
DEVELOPMENT OF AN INSTRUMENT TO MEASURE
HOW ZERO TOLERANCE IS DEFINED AND IMPLIMENTED IN SCHOOLS

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Abstract

Zero tolerance, as a disciplinary philosophy, remains a novice ideal. The widespread use of zero tolerance in discipline programs as a viable means of behavior control has made it necessary to question the impact of this practice on education. The purpose of this exploratory study was to develop and pilot a reliable instrument to gather information about the concept of zero tolerance as it is perceived by educators and implemented in schools. The data for this study was gathered through an open-ended survey administered to twenty-eight subjects. Information was collected from teachers and administrators in school districts throughout the northeast region. Elementary and secondary practitioners from the private as well as public sector responded. Comments were collated by question and subject using a traditional spreadsheet coding method. Data was analyzed to quantify and illustrate the similarities and differences found in zero tolerance meaning and implementation. The data was also examined to observe the influence of teacher and administrator discretion when making disciplinary decisions and if zero tolerance affected this judgment.

Data provided themes and distinctions in zero tolerance definitions across subjects. A comparison of past disciplinary practices and current trends distinguished zero tolerance from other disciplinary practices. A range of infractions and punishments to which zero tolerance applies were uncovered as were situations in which educators who had zero tolerance in their schools would use discretion when zero tolerance policies were broken. The findings of this exploratory study serve as a foundation for future zero tolerance research.

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CHAPTER ONE

INTRODUCTION

Statement of the Problem

Over the past decade, many schools have embraced zero tolerance (ZT) and have rooted their discipline programs in this philosophy. However, the review of zero tolerance policies (ZTPs) has been highly mixed. On one hand, it is clear that students, faculty members, and parents feel more secure knowing students who violate certain policies will be dealt with in a strict manner. On the other hand, ZT horror stories have regularly bombarded the public. Consider the following:

A Virginia 8th grader was suspended one semester for possession of a knife on school grounds. The student had taken the knife away from a suicidal classmate and placed it in his own locker (Walsh, 2002).

In Ohio, the district recommended a 7th grader be expelled for sniffing whiteout in class (Wash, 2002).

A 10-year old from Colorado was expelled because her mother had put a small knife in her lunchbox to cut an apple. When she realized it was there, she turned it into the teacher (Cauchon, 1999).

In Pennsylvania, after receiving a “D” on a major essay, an 18-year old male student said aloud “man, if I don’t pass this class, I’m going to be mad enough to kill.” The teacher told him that his statement could be misinterpreted and he replied; “I know, I take it back.” Later in the day the student was taken away by the police to face criminal charges after the teacher went to the principal and told her what happened (Easterbrook, 1999).

Although the above actions may appear to be preposterous, they are real and seem to stem from increased public concern regarding unruly student behavior. Even though school violence has not increased over the past twenty years (Hyman, 1998), media

coverage of school shootings has prompted some communities to question the effectiveness of established discipline practices. Many schools implemented ZTPs in response to community concerns, attempting to ease the safety concerns of parents, students, and teachers while still maintaining an environment that encourages academic freedom and integrity. However, incidents like those detailed above have prompted educators to reconsider the effectiveness and impact of these policies on the students they aim to serve.

Background

The first emergence of 'ZT terminology' can be traced to President Reagan's federal drug policies of the 1980s. As the war to stop drug use gained momentum, the government attempted to communicate to drug traffickers that Americans would not tolerate their behavior (Skiba, 2000). To do this effectively, new legislation was passed that prohibited federal judges from using discretion when sentencing narcotic transporters (Peterson, 1999). These non-discretionary sentencing procedures became known as 'zero tolerance' policies.

From these initial inceptions, ZT was soon applied to solve a wide range of social issues. Eventually, ZT seeped into the educational environment (Skiba, 2000). Schools in the midwest were the first to use ZT in formal school discipline proceedings. These schools developed policies that mandated expulsion for weapon and drug violations (Johnson, 2001). By 1993, many schools across the country claimed to exercise some form of ZT for similar offenses (Johnson, 2001).

National acceptance and inception of educational ZT emerged out of the Clinton presidency. In 1994 the Gun-Free Schools Act was passed. This federal legislation

mandated that schools expel students possessing firearms on school property (unless the school administrator felt an extenuating circumstance existed) by the following October (Pipho, 1998). Following the lead of the federal government, states extended the application of this Act and adopted additional ZT regulations. In 1999, more than two-thirds of all schools had enacted ZTPs beyond firearm possession (Cauchon, 1999).

While it is clear many schools use ZT, the application of ZT beyond the Gun-Free School Act is somewhat vague. It is difficult to determine the scope of ZT due to the individuality of district programs; however it is apparent through the situations illustrated in the opening section that ZT has been applied towards infractions that are extremely violent as well as towards those that seem relatively minor. It is also evident educators interpret ZT differently, which has ultimately lead to variation in how ZT is applied.

Purpose of the Study

The overarching research question for this study is the following: “how do educators understand, interpret, and apply the idea of ZT within their schools?” To shed light on this inquiry, five secondary questions guided the research process. These questions were as follows:

- 1) What do educators perceive as the key features and elements of a zero tolerance policy (ZTP)?
- 2) How do ZTPs differ from other kinds of disciplinary practices or policies, in particular, those the respondent may have used in the past or experienced as a student?
- 3) To what range of infractions are ZTPs applied in the respondent’s school?
- 4) What ranges of punishments are included in the respondent’s school’s ZTP?

- 5) To what extent are disciplinary decisions within the respondent's school influenced by teacher or administrator discretion?

A conceptual framework was developed for this study. This framework attempts to connect the ZT infraction range, ZT punishment range, and the use of discretion by educators faced with ZT decisions. It aims to reveal if the width of the infraction and punishment range impact faculty discretion when ZTPs are broken.

To investigate the main inquiry, an exploratory qualitative study was conducted. A survey was created and administered to current educational practitioners located in the northeast region of the United States. Through a series of five open-ended questions, 28 subjects elaborated on ZT meaning, current discipline programs, district ZTPs, their own past discipline experiences, and their opinions concerning the appropriateness of teacher discretion in making discipline decisions. Informants also responded to vignettes by predicting how faculty in their school would react to various discipline situations in light of the 'prescribed' punishment associated with a particular infraction. Themes and distinctions across subjects and questions served as the foundation for data analysis

Need for Study

While ZT is undoubtedly the new buzzword in education, a clear definition for ZT does not exist. Details on how far ZT has embedded into America's educational infrastructure and the affect of this practice on discipline has yet to surface. It is clear that the ambiguous nature of ZT has encouraged the application of the policy across a variety of infractions. However, it is not always clear exactly what those infractions are

and what the punishments are associated with them. While a clear definition of ZT is practically nonexistent, many claim to exercise ZT in schools, while others assert they do not, when in fact they do. It is evident that the development of this instrument was necessary to help understand how practitioners attach meaning to ZT, the breadth of these policies in schools, and the influence of discretion on policy implementation.

By taking this step towards understanding the meaning educators attach to ZT, this study forms the basis for the creation of an instrument to further assess ZT in schools. This study identifies similarities and discrepancies in ZT policy perceptions and practices across a variety of school settings. It provides clarity, and unveils confusion that exists regarding practitioner understanding of ZT.

Definition of Terms

Discretion

The term 'discretion' means the degree to which teachers and administrators are able to invoke personalistic remedies in place of universalistic or standard procedures.

Formal Punishment

The term 'formal punishment' refers to procedures that follow written organizational guidelines or which result in a written record of the offense associated with the student.

Informal Punishment

The term 'informal punishment' refers to discipline conducted without the restraints of predetermined procedures or written records.

Range of Infraction

The term 'range of infraction' defines the set of behaviors that a school formally defines as subject to a formal disciplinary action.

Range of Punishment

The term 'range of punishment' refers to the degree of 'pain', discomfort, and/or denial of a right or resource, experienced by a student involved in a policy infraction.

CHAPTER TWO

REVIEW OF THE LITERATURE

Introduction

In setting the stage for this study, this chapter has several aims. First, it briefly discusses the origins and emergence of the “zero tolerance” idea. A discussion of the general concept of punishment as a means of social control and its historical use in American schools follows. Within this discussion, attempts are made to illustrate how zero tolerance policies fit the conceptual and historical framework of punishment and school discipline. The discussion then shifts to examine some apparent conflict and tension in the application of zero tolerance, emphasizing what appears to be a substantial level of ambiguity and ambivalence with respect to law and policy.

This latter issue is critical with respect to the task of this study, examining how educators understand, interpret, and apply the idea of zero tolerance within their schools. For example, numerous news stories and scholarly studies suggest that while many educators view the practice as a clearly structured process of imposing suspensions or expulsions for student misbehavior, other educators may view or implement the practice in a much more flexible fashion. Disagreement also appears evident with respect to the range of infractions to which zero tolerance policies are to be applied. Using examples of this kind of conceptual and practical tension, the chapter will finish with the presentation of a set of theoretical dimensions for evaluating teacher and administrator understanding of zero tolerance.

The Emergence of the Zero Tolerance Idea in Schools

The development of zero tolerance legislation can be traced to federal drug policies implemented in the 1980s. The first use of the term occurred (Peterson, 1999) when the Navy reassigned forty submarine crewmembers for suspected drug use in 1983 (Peterson, 1999). During the mid 1980s, President Reagan's war on drugs gained momentum and an effort was made to communicate that the American government would not tolerate certain behaviors. For example, San Diego implemented a program designed to impound sea craft carrying narcotics as a zero tolerance initiative (Skiba, 2000). The US Attorney General authorized custom officials to seize any means of transportation in which drugs were found and charge the navigators in federal court--regardless of the amount or individual circumstance (Peterson, 1999). Such procedures came to be referred to under the heading of "zero tolerance."

From these initial inceptions, zero tolerance was soon applied to solve a range of social issues from pollution to trespassing (Skiba, 2000). School districts in California and Kentucky (Johnson, 2001) followed suit and were among the first to adapt what were known as zero tolerance discipline policies, calling for the expulsion of students engaging in drug, gang, and weapon related activities. By 1993, many school boards across the country claimed to exercise some form of zero tolerance for a wide array of offenses (Johnson, 2001).

When national attention turned towards the supposed academic and social failure of public education in the mid 1990s, Congress developed zero tolerance legislation to decrease violent acts in schools through student removal. President Clinton signed the Gun-Free Schools Act in 1994 as a first step in this legislative

process. The Act required that, by October of 1995, all schools receiving federal monies had to adapt policies that expelled students possessing firearms on school property unless extreme circumstances existed (Pipho, 1998). Obligated to follow legislation to prevent loss of funding, schools quickly began implementing the mandate. This was in contrast to the typically slow response shown by districts forced to adhere to other new federal policies (e.g., desegregation, Title IV, and IDEA). It is important to note that while the act allowed local discretion, many local educators “declined to exercise this discretion, believing instead that continued unwavering application of zero tolerance is necessary to deal with disruptive students” (Peterson, 1999; Skiba, 2000).

Zero tolerance quickly permeated through the educational infrastructure and reached schools that had not yet embraced the concept. In addition to implementing the Gun-Free Schools Act, states began to extend the application of zero tolerance to other regulations. Schools across the nation began to expand upon mandated policies at the state and local level by using zero tolerance as a method to enforce dress code policies, restrict school access, and issue suspension for any type of classroom disruption (Drake, 1999). In 1999, more than 87% of all schools had zero tolerance policies that addressed drugs and alcohol use in addition to firearm possession (Cauchon, 1999). In addition, we have seen an overwhelming expanded use of zero tolerance as it has been applied not just to dangerous behaviors, but to lower level infractions such as possessing a butter knife, playing war games, and sharing Advil (Drake, 1999).

Views of Punishment

Over many years, philosophers and criminologists have laid out a variety of theories regarding the use of punishment as a means of social control. These often appear by different names and to some degree often overlap. Among these, and one of the earliest schools of thought, is the retributive view of punishment. Punishment represents the morally logical consequence of committing an immoral or criminal act; the “just desserts” view (Newman, 1978). Another view, developed by the philosopher Jeremy Bentham and typically referred to as the utilitarian or deterrence perspective, holds that the goal of punishment is to prevent or reduce the occurrence of crime (Mack, 1962). The reform or rehabilitative view sees punishment as a means of “healing” people of their propensity toward criminal acts (Butchart, 1998). Each of these perspectives has apparent problems or contradictions with which it is associated. For example, under the utilitarian view, would it be acceptable to punish an innocent person if it meant that crime would be reduced? Under the rehabilitative perspective, is punishment no longer justified when it becomes clear that the person being punished is incapable of reform? To some extent, the presence of multiple perspectives allows advocates of punishment ample opportunity to justify or at least rationalize its use. If we unknowingly punish an innocent person, the act may still have some deterrent effect. If we punish a person who is beyond rehabilitation, that person may still have “deserved” it.

One other perspective on punishment that is often overlooked or underemphasized is the so-called “expressive” or “symbolic” function. Within this view, the use of punishment represents the expression of an important social message. Some

theorists, such as Durkheim (1961), for example, argue along the lines that the key function of punishment is not so much deterrence or reform, but instead the maintenance of social cohesion and a strong sense of collective conscience (Primoratz, undated). The philosopher James Fitzjames Stephen argues that feelings of moral indignation and a desire for vengeance represent natural, deeply rooted, healthy and legitimate social reactions to serious crime and that the key purpose of punishment is to express these feelings in a regularized public and legal fashion (Stephen, 1863).

It is intriguing to think about how zero tolerance policies fit into these perspectives. Zero tolerance policies may be considered retributive, to the extent that many would agree that a student who brings a dangerous weapon to school or who assaults someone is deserving of the suspension or expulsion they may receive. In sharp contrast, however, it is likely that substantial numbers of citizens or school members would view such a punishment as “just” or “deserved” in many of the wide range of offenses to which zero tolerance policies are often applied.

While there is generally little or no empirical evidence tying zero tolerance policies with reductions in school violence or student misbehavior (Henault, 2001), such policies appear to be utilitarian in nature, as they aim to instill a mindset among students that will help prevent offenses from occurring. And yet, zero tolerance policies (at least as they appear to be practiced in extreme cases) deviate from the utilitarian model in a number of important ways. For example, among the key tenets of the utilitarians was the idea of proportionality (that the punishment should “fit the crime”) and the sense that no punishment should be inflicted if there is no real offense, or if there are other ways to prevent the offense from occurring. Under such a framework, school rules that equate

real guns with squirt guns or with drawings of guns fail to be “utilitarian.” So, too, would such policies as recently implemented in a Colorado school, where a group of youngsters were suspended for playing war games during recess using nothing more than their pointed fingers (Cauchon, 1999).

Are zero tolerance policies rehabilitative? Again, there is no reliable evidence to suggest this is the case. Theoretically, however, one might speculate that a student who has broken a zero tolerance rule, and who is allowed to return to school, might be more careful about his/her behavior in order to remain there. But has the student been “rehabilitated?” Or simply become more obedient? In some cases, obedience may be “good enough.” We may be satisfied, for example, if the angry or violent student learns to refrain from fighting or from bringing weapons to school, and not worry too much about whether he has really “seen the error of his ways.” Consider, however, the case of the student suspended from school after a butter knife was found in the back seat of her car (Cauchon, 1999). Has she really committed an act for which “seeing the error of her ways” is necessary? If not, then it would appear that such policies are “rehabilitative” only in the sense of restoring a pupil’s heightened awareness of legal technicalities.

What about the symbolic function of zero tolerance policies? In one sense, such policies, when implemented against infractions involving dangerous weapons, violent behavior, or drugs, appear to help enunciate institutional or community “outrage.” Of course, it is nothing new for schools to collectively and symbolically demonstrate negative feelings toward “extreme” forms of student behavior. Studies by Coleman (1961) and Grant (1989) reveal how school rules and student cultures often work

together to reinforce the importance of appropriate behavior in schools. However, as Grant's work reveals (see also Cusick, 1983), a lasting perception of increased disorder in schools emerged out of the late 1960s resulting from misbehavior, drug use, and violence in schools, as well as a perception that such problems were being dealt with in weak, inconsistent, or ineffective ways. The Gun-Free Schools Act passed by Congress in 1994, and which helped promote the "zero tolerance" idea in schools, was just one of several federally instituted policies intended to send the message that there are some acts that are so harmful to social safety that societies—and schools—simply cannot tolerate them.

The problem arises, however, when schools apply these kinds of policies to "tolerable" behavior; or, put another way, when they attempt to make tolerable actions appear "intolerable." By "criminalizing" inadvertent rule violations (the Scout knife in the car trunk) or behavior generally considered normal or acceptable (playing war at recess), the school may be attempting to send very different kinds of symbolic messages (e.g., "obedience" or "pacifism"). Alternatively, it may be that the repeated and public use of the words "zero tolerance" is equal in importance to the actual punishments themselves. For example, a principal who repeatedly emphasizes the message that there are some behaviors that "we simply will not tolerate in this school," may actually garner for her school a measure of flexibility with regard to the types of punishments imposed. It may be, in fact, that for some rule infractions, an effective "zero tolerance" response is one that involves little or no use of suspension or expulsion.

Historic Patterns of School Discipline

Looking back at the history of how discipline has been applied in American schools, one finds many different views and approaches to controlling student behavior. Although a full discussion of these observations is beyond the scope of this study, it is useful to look at how the idea of zero tolerance fits within general historical trends. We begin this analysis with a straightforward and timeless definition of zero tolerance (Peterson, 1999): the term refers to “those policies which deal out severe punishment for all offenses, no matter how minor, ostensibly in an effort to treat all offenders equally in the spirit of fairness and intolerance of rule breaking.”

It seems clear that this type of punishment falls on one side of a historic “great divide” concerning social control generally and school discipline specifically. On one side of this divide one finds policies that are generally punitive and based on the idea that punishment, often harsh punishment, will not only deter or reform the “perpetrator” but will also send a message of deterrence to others. On the other side, one finds policies that tend to emphasize the underlying causes of misbehavior and looks for ways to remove or alleviate these from the instructional or social context. While the two approaches may overlap at times, and while schools may use both approaches, the use of punitive administrative or physical sanctions represents an overarching focus of American school discipline.

Punitive Approaches

Punitive approaches to school discipline have existed since the beginning of American education. Sanctions associated with certain behaviors have taken various forms as times progressed, from physical interventions to those that call for student

removal from the institution all together. This approach has an impact on all students within the system (not just those who misbehave) because they are expected to be fully cognizant of the rules and the sanctions associated with disobedience. Students will often fear punishments and are expected to avoid disciplinary interventions by acting appropriately due to this anxiety. Those who do choose to misbehave will receive the corresponding sanction, thus allowing others to experience vindication when they are punished.

Punitive practices in American schooling are rooted in colonial familial and educational practices (Barnard & Burner, 1975). Early American families were heavily influenced by Protestant beliefs. Many adults felt it was necessary to “beat the devil” out of children to ensure they were adhering to societal norms and religious values. In the educational setting, religious doctrines were used to build reading skills (Edwards 1963) and teach lessons in morality to deter misbehavior by instilling fear in God. Discipline was extremely physical. Children were often called to recite passages to check for understanding, and, if they faltered, rods and whipping posts were used on them to ensure their comprehension of the materials (Edwards, 1963). Operating under this same punitive philosophy, scholars of the time such as Joseph Lancaster attempted to develop new measures to maintain the effectiveness of disincentives on student behavior while “softening” interventions (Butchart, 1998). He carefully designed a system of rewards and punishments for students using placards, shackles, and yokes. Lancaster encouraged hanging students from the ceiling and leaving them overnight to reflect upon their misdeeds. He also supported the use of student monitors in the classroom to keep close watch over underachieving peers (Butchart, 1998).

Alternative schools of the nineteenth century provide another dimension of behavior modification through punitive methodologies, some of which still exist today. The need for an alternative education can be demonstrated in a statement supported by the Massachusetts Senate Committee in the late 1800s (cited by Rothstein, 1984):

If a child is brought up with thieves and drunkards, it will be singular, indeed, if he become not a thief or a drunkard or both; he may be educated to evil as well as good. If a child is friendless, homeless, or if his parents are vicious, he is easily led into temptation and induced, perhaps by want, perhaps by evil example, to commit some small theft. For this first crime, he could be rescued, placed under the care of judicious men, taught to labor, be furnished with a good moral and intellectual training, he would become a good and useful citizen. Clearly if this does not occur, the child experiences total depravity in morals and a life of wrong-doing, terminated in the State Prison or gallows (pp. 36-37)

While the above example may seem almost medieval, it is strikingly similar to current fears regarding unruly students and the impact of their behavior on others, thus prompting the need to use zero tolerance to manage misbehavior. However, it must be noted that zero tolerance distinguishes itself from this policy and others in that the first offense is treated differently, for a singular incident is all that is need to prompt a punitive disciplinary reaction.

In response to increased crime in cities such as Boston, school committees passed policies reflective of the current trends. Laws subjected students to arrest and incarceration in alternative schools if they were found responsible for larceny, vagrancy, stubbornness, and truancy (Rothstein,1984). Other forms of punitive tactics used were isolation, manual labor, and prayer (Rothstein, 1984). Current zero tolerance policies embrace a similar idea as these alternative schools in that they also specify a punishment for a particular offense. Today's policies aim to increase perception of

safety and public confidence in the district's ability to address unruly student behavior by rendering harsh consequences to undesirable behaviors.

Since students often know the rules and sanctions associated with them in a punitive system, it is assumed that students who are punished will refrain from similar behaviors in the future, as will the students who witnessed the ramifications associated with a particular student's actions. An example of this ideology can be seen in a code of conduct from a 'common school' operating under the guidance of Horace Mann (Gatto, 2000). Typical offenses and punishments rendered during this time are clearly illustrated in the following *Rules of Stokes County School, November 10, 1848* (Gatto, 2000):

<u>Offense</u>	<u>Lashes</u>
Missing words in lessons without excuses	1 Lash per word
Not bowing when you come or go	2 Lashes
Quarreling at School	3 Lashes
Boys and Girls Playing Together	4 Lashes
Fighting in School	5 Lashes
Misbehaving when a stranger is in the schoolhouse	6 Lashes
Telling tales out of school	7 Lashes
Swearing at school	8 Lashes
For playing bandy	10 Lashes
For leaving school without a teacher leave	10 Lashes
Playing cards at school	10 Lashes

It is interesting to note the similarities between the policies described above and current zero tolerance policies. Mainly, the likenesses lie in the explicit listing of offenses, the

harsh punishment associated with the offenses, and the apparent application of the policy to all students without regard to individual circumstances.

Additional examples of punitive behavior modification based on explicit expectations can be seen during the Industrial Revolution at the start of the twentieth century. The educational environment was transformed into an operationalized atmosphere as educational focus turned toward industrial training (Edwards, 1963; Button, 1983). The disciplinary restructuring that accompanied academic organization is illustrated in the following excerpt from Stanley Rothstein's (1983) work on coercion in urban schools:

Students were coerced on several levels of organizational discipline. Their movements, gestures, and work were closely scheduled, supervised, and judged according to prevailing standards. Codes were developed that partitioned the time frames, spatial locations, and movements of youngsters in the school buildings. These schedules and rules made it possible for staff to control the activities and movement of the student's body, thus assuring its constant submission to the discipline and authority imposed upon it (pgs. 58-59).

Schedules, as described in the above scenario, were designed to prepare students for industrial work; many of the discipline practices used during this period were also modeled in accordance with factory procedures. Students followed a regimented bell schedule and teachers dealt harshly with truant pupils (Rothstein, 1984). Student performance was ranked and social standing was announced to increase performance through competitive measures. This structured environment often provided clear regulations and discipline codes, much like those in a factory or steel mill. Strict instructional practice was also very common. Students had to go to the front of their classes, recite various ideals, and stand with their toes lined up with the board while holding their hands in a particular place; literally speaking, children were forced to "toe

the line” (Anderson, 2001). Again, one sees similarities to current zero tolerance policies. Today’s policies are applied in an impersonal universalistic fashion with little allowance for discretion. Rules and the consequences associated with certain behaviors are often explicitly defined.

Humanistic Approaches

In contrast to punitive approaches, humanistic discipline focuses on the cause of student misbehavior. This philosophy aims to discover unmet student needs that trigger misbehavior and focuses on changing the conditions that prompted the problem. Students who choose to misbehave are rehabilitated, rather than sanctioned blindly by ignoring the meaning behind their action. Humanistic or progressive followers base their disciplinary and classroom management strategies on psychological expertise and scientific study (Butchart, 1998).

Humanistic pioneer John Dewey (Dewey, 1997; Anderson, 2001) focused his studies on the relationship between student activities and misbehavior. Dewey felt schools should be anchored in the whole child and become more hospitable places for children (Button, 1983; Dewey, 1997; Anderson, 2001). He believed misbehavior stemmed from the unnatural expectations of the classroom (sitting in silence, stillness, and extended attention to tasks) and by giving students meaningful tasks they would work more attentively, thus decreasing the likelihood for misbehavior. Dewey also felt that humanistic programs should be rooted in compassion. In other words, educators should, and need to, use compassion when rectifying behavior problems. He and other progressives feel educators must reject the use of fear tactics and impersonal bureaucratic surveillance. Rather, the use of affection-based discipline methods (guilt,

emotional ties, and student self-surveillance) will increase internalized authority (Butchart, 1998).

Other Considerations

Universalistic vs. Particularist approaches

Another important thematic component of disciplinary policy is the uniformity or universality in policy application (Button, 1983). While in the particularistic approach, the individual situation of the misbehaving student is unique and is dealt with accordingly; the universalistic system supports rules and punishments that are applied impersonally without regard to individual circumstance. And though both views on discipline have relevance, a closer look at the universalistic approach is necessary for an analysis of zero tolerance policies to be understood.

One facet of the universalistic philosophy is the bureaucratic-legalistic disciplinary approach; it recognizes the need for governmental fairness and due process throughout the disciplinary process (Butchart, 1998). Schools are governed by centralized, impersonal, and uniform rules and regulations that are communicated clearly to members of the school and community. This approach views law enforcement as a partner in thwarting student behavior problems (Lundell, 1982) and suspension and expulsion are common disciplinary methods used (Coleman, 2001). Since policies are universally applied, teachers often have little control over major decisions (Abernethy, 1997) and are, in theory, infrequently able to use discretion when making disciplinary decisions. Many of these same tactics are found in schools that follow zero tolerance models. Clear expectations are presented for students to follow and teacher discretion is limited by the policy.

Formality of Rules, Punishments, and Treatment

Another important consideration in examining disciplinary trends is the formality of rules and punishments. By “formal,” we refer to procedures that follow written organizational guidelines or which result in a written record of the offense associated with the student. A good example between formal and informal, or less formal types of punishment is the traditional use within military organizations of “non-judicial punishment” (Newman, 1978). Under this arrangement, commanding officers are authorized to administer “punishment without trial.” If the accused agrees (and refuses his right to a formal court martial), the punishment is administered (or the charges are dropped) without a record being placed in his file. Although there is no precisely analogous arrangement in schools, it is clear that schools and teachers often hand out “non-formal” kinds of punishments for a wide range of infractions. Traditionally, for example, the child who brought a squirt gun to school might have it taken away with a warning. Students caught fighting might, at the discretion of the teacher, be called upon to “put on the gloves.” Other forms of misbehavior might be treated with “nuisance assignments” (e.g., extra writing or other work). A principal might treat a graffiti problem by having offending students scrub down the desks or walls. In any event, the punishment was often administered with no lasting written mark on the student’s record.

Such informal procedures need not be punitive. A teacher may have a “good talking to” with a misbehaving student or formulate some other kind of non-punitive treatment that changes the environment in such a way so as to reduce the likelihood of further misbehavior. The key point here is that zero tolerance policies appear to implicitly bar the use of such informal reactions for the specific infractions they cover.

Consider, for example, that prior to the emergence of zero tolerance procedures, most schools probably had rules against “knives.” What was different or missing was any expectation that teachers would consistently enforce this rule formally and without the use of their own judgment or discretion in addressing the problem. With zero tolerance comes the expectation that teachers will forgo their own judgment and submit any infractions to a formal school disciplinary process.

Confusion, Ambiguity, and Unanswered Questions

One interesting phenomena associated with zero tolerance has been the misinterpretation of law and policy by local school officials. For example, even though the Gun-Free Schools Act mandates a one-year suspension for any student possessing a firearm in schools, the act also provides an “escape clause” allowing school officials to modify the penalty on a “case-by-case basis.” In fact, even the notorious Texas law used to justify the one-year suspension of a student over a bread knife found in the back of a pick-up truck contains language allowing school officials to determine the length of such suspensions. Despite the discretionary clauses contained in most state and federal legislation, school officials continue to claim that their “hands are tied” (Bowman, 2002).

Zero tolerance is still an emerging practice within schools, one that has received wide attention, but also one for which conceptual and empirical studies are scarce. It would appear that serious questions lurk about with respect to what the practice actually means. These questions fall into three main areas. First, although ostensibly universalistic, one must question whether zero tolerance punishments are applied or should be applied the same way for all cases. To what extent do administrators apply

their own discretion? Will teachers use discretion in deciding how to deal with student infractions they observe? A second question relates to the range of infractions covered under any zero tolerance policy. What began as a response to serious violence and drug use in schools has expanded in many school districts to cover marginal and even harmless behavior on the part of students. Finally, is it necessarily the case that a zero tolerance response to any particular infraction must always involve suspension or expulsion? Can a school “refuse to tolerate” certain behaviors without banishing the offending student?

Two anecdotes help illustrate and summarize the questions posed above. The first highly publicized incident took place at a Centennial, Colorado elementary school. The principal observed seven fourth grade boys “playing war”; that is, they had divided themselves up into two sides and were running about, pointing their fingers at one another, using them as imaginary guns. The principal called the boys over, took them to the office, parents were called, and the boys were suspended from school. Although the school’s code of conduct contained no mention of “finger pointing,” the principal claimed that the boys had violated the school’s zero tolerance policy against threatening gestures. When parents pleaded with the principal, asking her why the boys couldn’t have been simply asked to stop the behavior, the principal responded, “No tolerance means more than just a warning, because that would mean tolerance” (Richardson, 2002).

The second incident was a personal account shared by a middle school assistant principal. A pupil approached him one Monday morning and said, “Mr. ****, I want you to check my backpack.” The pupil had been on a Boy Scout outing the day before

mistakenly carried his scout knife to school. Although the district had a zero tolerance policy with respect to weapons, the assistant principal opted not to enforce it. Instead, he took the knife and called the boy's father to verify the story. He asked the father to come pick the knife up from school, and no additional punishment was handed out.

Both schools in the above situations claim to have a zero tolerance policy, but there is a vast difference not only in how they were implemented, but also in terms of the understandings revealed in the actions of the administrators. One difference lies in the level of discretion assumed by the administrator. In the first case, the principal not only refused to exercise any, but also apparently believed that it would be wrong to do so. In fact, one could argue that she did not believe she had the *authority* to do so. In the second case, the assistant principal apparently believed that while there had been a technical violation of the rules, he had the right or authority to align the school's response so as to fit the actual offense.

Therein lies a second and third key difference in the cases. The second difference lies in the "range of offenses" to which a zero tolerance penalty should be applied. Specifically, we see a contrast between sanctions dealing with *real* "weapons" or potential "threats" (in the case of the middle school assistant principal) and those dealing with imaginary weapons in a non-threatening and voluntary situation of dramatic play. Thus, one notes the expansion of offenses falling under the zero tolerance umbrella from those that are very specific and serious to those that are quite vague and pose questionable harm. In addition, one notes a sharp variation in the level of punishment administered for ostensive zero tolerance infractions—suspensions in one case, a phone call home in the other.

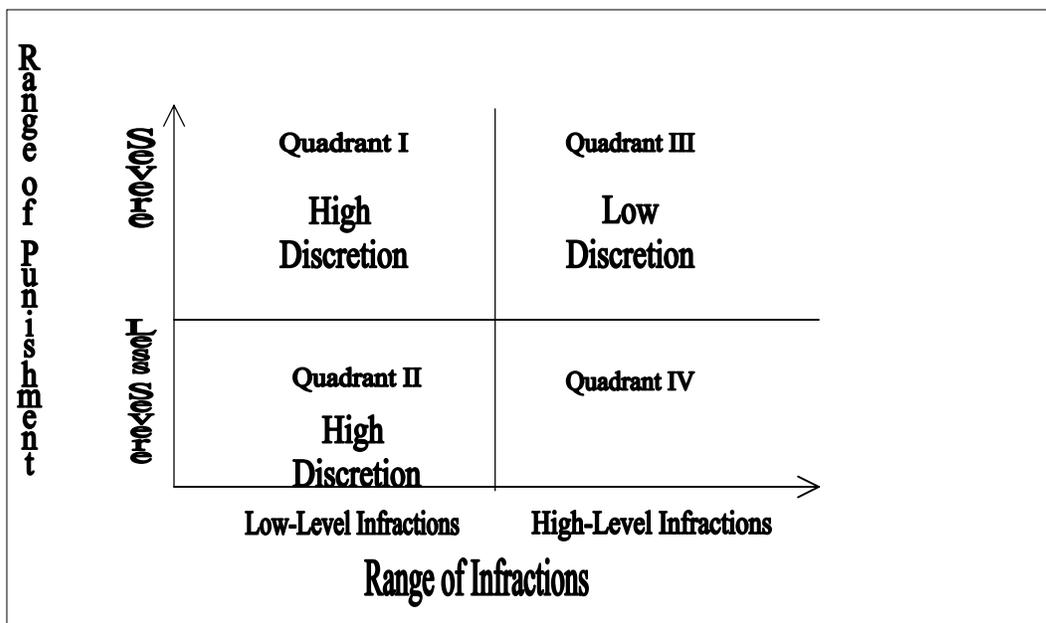
One last difference relates to the symbolic messages embedded in the actions of each administrator, a topic touched on earlier in this chapter. It seems tempting, even reasonable to speculate that the elementary school principal's actions are more reflective of an intolerance for "rule breaking" than for actual threats to school safety. They also appear reflective of a particular political attitude regarding "non-violence" and of a level of distain for certain types of play activity among young boys. The actions of the middle school assistant principal seem to run in an opposite direction. That is, he appears more concerned about actual threats to safety and bears some recognition of the idea that it is not "remarkable" that a boy might possess a knife.

One may be tempted to assert that the latter administrator's reaction represents a disregard for the district's ZT policy. It may, however, be the case that the value of the policy lies as much in its repeated enunciation than in its strict or inflexible enforcement. As an analogy, consider the positive association between student achievement and the presence of formal homework policies; an association that remains even after controlling for variation in the actual amount of homework teachers assign (Shouse, 1998). Apparently, the policy itself conveys to students the importance of homework, even when homework is not frequently assigned. Similarly, when a principal or a group of teachers emphasize a message that some behaviors will "simply not be tolerated," they may actually create an atmosphere that allows greater flexibility regarding the types of punishments that can be imposed.

Range, Discretion, and Severity- How They Relate To Zero Tolerance

Although much of the discussion above has been somewhat speculative, it does help develop the basis of a conceptual framework for evaluating the use of zero tolerance policies in schools. The three key elements appear to be (1) the range of offenses of which zero tolerance penalties may be applied; (2) the severity of the penalties associated with given offenses; and (3) the amount of discretion or flexibility used (either formally or informally) by teachers and administrators. These elements are illustrated in Figure 2.1:

Figure 2.1: Relationship between Range of Punishment, Range of Infractions, and Discretion



The above figure represents the discretionary tendencies of educators using ZT based infraction and punishment ranges. Quadrant I suggests that if a student commits a low-level infraction (eg. chewing gum in class), most educators would use discretion if their

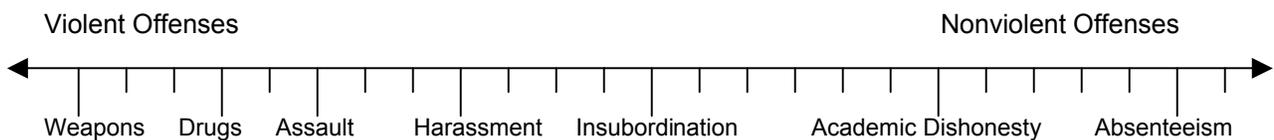
district's formal discipline code required a severe punishment intervention (eg. expulsion, suspension). Quadrant II predicts that educators will exercise a high discretion for low-level infractions when punishments are less-severe. Quadrant III suggests when a high-level infraction occurs (eg. gun possession, drugs) and the formal discipline code requires a severe punishment, most educators will not use discipline discretion. There is no "discretionary tendency" listed in quadrant IV since it is unlikely that high-level infractions have corresponding punishments that are less-severe in formal discipline procedures.

Range of Infractions

We use the term "range of infraction" to define the set of behaviors that a school defines as subject to disciplinary action. This enables us to address how broad or specific policies, such as zero tolerance, are exercised in a given district. Schools have always had a set of behaviors that have been identified as inappropriate, whether they have been formally written down or made up as teachers have gone along. The difference lies in the size of the formal set of behaviors deemed as improper. For example, in one school they may have a range of infractions covering violations spanning from weapon possession to gum chewing; whereas in another school there may be a range that addresses only weapon possession and drug use. Delving even further, one might consider schools that have policies that prohibit weapons, where some include only dangerous weapons like firearms while others include toy guns as well.

Breaking this idea of range down further, we can identify two types of range in schools. The first represents a continuum with general categories of infractions ranging from those that are violent in nature to those that have less impact on the general school environment. Figure 2.2 is a representation of these disciplinary categories in a range-based format.

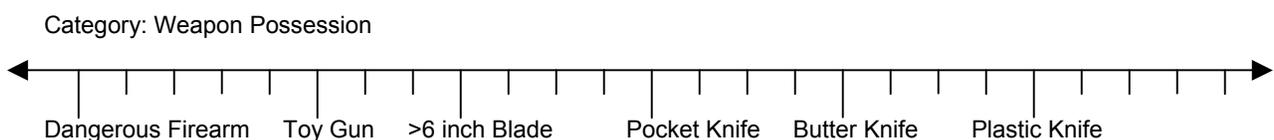
Figure 2.2: Infraction Range



In this figure, if you look at these categories, one might see a code of conduct. Infractions are listed along a continuum, ranging from violent to nonviolent offenses. The infractions seem to cover a broad range of topics, where in another school may have fewer policies in place for student behavior expectations.

The second range represents infractions within a disciplinary category. Based on the infraction, multiple possibilities are presented for a student to violate. Each violation may render a different or similar consequence. Figure 2.3 is representation of this range.

Figure 2.3: Infraction Category Range



To further illustrate this concept, you can also consider different school drug policies, where in one school may only restrict narcotics use while another may include over-the-counter medicine such as Tylenol in their infraction range.

In zero tolerance systems, it would appear that the more general infraction ranges are very explicit and clearly defined- yet the specific sub-ranges are not always as apparent. Through our study we hope to clarify these ranges, as there seems to be theoretical variation as to what infractions zero tolerance applies towards.

Range of Punishment

The term “range of punishment” addresses the degree of “pain”, discomfort, denial of a right or resource, experienced by the student involved in an infraction of policy. Pain refers to the level of discomfort experienced by the student, either physical or psychological. It can also mean a denial or reduction of a resource, with severity based on the quantity removed. For example, a one day suspension is less severe than a ten day suspension.

It is clear that school boards are granted considerable authority and leeway to formulate punishments associated with their violations within statutory limits according to legal expert Edward Bolmeier (1976). The same is true for zero tolerance, as similar trends have surfaced in how districts across the country choose to punish students within zero tolerance systems. Options used by administrators seem to focus on expulsion and suspension as common solutions to discipline problems (Kaeser, 1979). Typically, when students face a disciplinary measure that calls for their removal, the possibility of law enforcement notification is also a consideration, an option frequently used in a zero tolerance system.

Discretion

The term “discretion” refers to the degree to which teachers and administrators are able to invoke personal remedies in the place of universalistic justice, even when universalistic justice is required. For example, a teacher witnesses a physical fight in the hall and decides to reprimand the student who provoked the incident rather than discipline both students, despite the fact that they were both participants. This action of choosing how and if a student is to be disciplined greatly influences the effectiveness of the disciplinary philosophy being followed.

Zero tolerance policies aim to remove discretion from educators, often operating under the guise that this discretion leads to inappropriate, inequitable, or ineffective interactions. According to Michael Lipsky (1980) “discretion management is at the heart of the problem in the street-level bureaucracy, because members of this bureaucracy are often unwilling to give up their discretionary authority.” This concept is illustrated with regards to zero tolerance implementation and school bureaucracy under a variety of conditions. For example, upon examination of the influence of the Gun-Free Schools Act and other zero tolerance policies on disciplinary measures executed by school officials, discretion is still apparent. According to the Department of Education, only 31% of students who brought a gun to school in 1995-96 were expelled, 49% were suspended for five or more days, while 20% were sent to alternative programs (Cauchon, 1999). A case study conducted by Margaret Grogan (1994) in Virginia found that when school board members were faced with zero tolerance policy implementation, they took the following factors into consideration: student discipline record, his or her academic record, his or her attitude, and the student’s parents’

attitudes. In a comparison of four middle schools in Miami-Dade County, the impact of their ZT policies on students was determined primarily by the school administrator and consequently varied from school to school (Ayers, 2001).

Due to the fact that widespread discretion has been used when adjudicating cases in which students were found in possession of deadly weapons, it begs the question--does zero tolerance exist in a pure form? Furthermore, it calls into question whether teachers are handling zero tolerance policy violations in the classroom in a similar fashion, thus preventing the administration from even hearing cases and consequently negating the purpose of these policies and the need for them. This study aims to examine the impact of discretionary tendencies on zero tolerance.

Do Demographic Differences Influence Zero Tolerance?

There are key demographical differences that need to be accounted for when conducting the exploratory zero tolerance study, because they have the potential to impact the information received. This study included subjects of different genders and years of professional experience. These two factors heavily influence the values, perceptions, and practices of current educators. A comparison study of teaching strategies showed that differences do exist in teaching styles among men and women (Durkin, 1987). While male teachers tend to be more direct, subject-centered, organized, and conduct their classrooms with more control; female teachers seem to be more creative, student centered, able to foster an environment where risk-taking can happen, and are more likely to ask students questions. These stylistic differences may influence the level of discretion shown by teachers when considering how to handle

policy violators and make it necessary to determine if distinctions exist among male and female teachers when examining zero tolerance practices.

Ralph Fessler and Judith Christensen (1992) provide a model of teacher development over one's career, which is important to consider when assessing how instructors perceive zero tolerance in theory and practice. They detail various stages of career progression that influence how professionals interact with the educational environment and respond to various issues within that environment. The model is cyclical and demonstrates eight phases of progression: pre-service, induction, competency building, enthusiastic and growing, career frustration, stability, career wind-down, and career exit (Christensen, 1992). The discipline practices of an educational professional could be related to their stage of career progression and impact how they interpret and enforce ZTPs.

Summary

The conceptual framework outlined in Chapter Two leads to a qualitative instrument that allows subjects to elaborate on their ZT perceptions and experiences. The survey attempts to provide evidence that the tensions and patterns described in Chapter Two exist, thus providing a framework for future ZT research and filling the wide gap that exists in the literature.

CHAPTER THREE

METHODOLOGY

Introduction

This chapter describes the data collection and analytic procedures used to tease out and examine the meanings teachers and administrators attach to the concept and practice of zero tolerance. An exploratory questionnaire was developed which included a series of short answer and open ended questions designed to ascertain (1) whether or not the respondent's school used a zero tolerance (ZT) policy; (2) how the respondent generally interpreted the requirements of any ZT policy and how such requirements differed from alternative forms of discipline policy; (3) the types of infractions to which ZT was applied; (4) the range of punishments linked to ZT offences; (4) respondent's beliefs about the use of teacher or administrator discretion in administering discipline; and (5) respondent's reactions to a series of vignette's depicting discipline problems that might lead to a ZT response.

The purpose of this questionnaire was to provide information that might help us understand the degree to which ZT policies vary across schools (range of infraction and degree of punishment) and the degree to which teachers and administrators continue to exercise discretion or use flexible responses within the ZT framework. It should be pointed out that this study was designed to be exploratory in nature; that is, to gather information that might offer initial confirmation that the questions raised in Chapter 2 are worthy of further pursuit.

Questionnaire Development

Based on the conceptual framework presented in Chapter Two, short answer and open-ended questions are used to conduct this exploratory study. Initial inquiries aimed to determine respondents' perceptions of the meaning of "zero tolerance" and how it differs from past discipline practices they have used or experienced. Subjects indicated whether their current school used ZT and described their discipline program. Finally, participants responded to questions based on a set of vignettes representing typical discipline situations in which teachers and administrators needed to make a decision concerning a given infraction. In this section, respondents indicated how they believed most teachers and administrators in their school would handle the situation and described the punishment they believed would be associated with the offense. As a whole, these questions attempted to unveil perceptions about ZT and ZT disciplinary policies with respect to range of infractions and severity of punishments. Of key interest, the questions sought to reveal the degree to which teachers and administrators might deviate from stated school policies involving ZT infractions.

Original Survey Design

The process by which the final survey was developed was shaped by the construction of a preliminary instrument based on inferences made regarding ZT programs. The bases for these inferences evolved from articles that highlighted ZT cases and from the few existing ZT studies. The theoretical framework discussed in Chapter Two prompted the initial creation of a three-part survey to explore ZT infraction range, ZT punishment range, and how discretion influences ZT implementation.

In the original design, an infraction-based scale was constructed based on what I thought common ZT policies were. For example, respondents may have been asked to indicate if they have a discipline policy for toy guns, plagiarism, illegal drugs, and harassment. Next to each of these policies, common ZT sanctions uncovered in the literature review were to be listed to determine if the schools had ZT in place for that particular infraction. Subjects were asked to select from the following alternatives: expulsion, suspension (10 days, <10 days), law enforcement notification, unsure, and other. In this original design, it was presumed that if a subject selected suspension, expulsion, or law enforcement notification as the consequence for a particular first time behavior, the school most likely had a ZTP for that particular action. The rationale for this assumption was based on the findings of Drake (1999) and Cauchon (1999), who asserted, through their research, that ZTPs were applied to infractions ranging from gun violations to classroom disruption. Drake (1999) specifically cited suspension and expulsion as interventions associated with ZTP implementation in the school districts he examined.

To study the impact of teacher discretion on ZT, vignettes were originally designed to have subjects make disciplinary decisions based on their own school policies. Teachers and administrators would select from limited alternatives. One option enabled the faculty member to refer the student to central administration, thus subjecting the student to the punishment associated with that particular infraction. The others permitted the respondent to ignore the behavior all together or write in a response, both allowing the subject to exercise some degree of discretion. The assumption was that if the teacher opted to refer the student to the central office or

handle it another way, information gathered in the policy and punishment section would enable the researcher to determine if that educator most likely was selecting to have a ZTP exercised.

Instrument Revision

Over the course of discussions with my dissertation committee, it was noted that a critical step was missing in this research process. While it was true that commonalities exist among ZT programs, as suggested in Drake (1999) and Cauchon's (1999) work, little has been done to examine what ZT means to practitioners and the impact of this meaning on disciplinary actions. It was determined that to develop an instrument similar to the design originally proposed, it was first necessary to conduct an exploratory study examining how educators attach meaning to ZT as a disciplinary philosophy and practice.

When reconstructing the instrument, an open-ended question format was deemed the best course. It allowed educators opportunity to express themselves, thus eliminating the rigid restrictions placed on them in the previous design. Four sets of inquiries allowed subjects to delve into their ZT perceptions based on personal and professional experiences. Subjects began by identifying key features and elements of ZT. They then indicated if they had ZT programs in their schools. Those who did have ZTP's named the infractions to which it applied and the corresponding punishments, while informants in non-ZT districts were asked to simply describe their school's discipline program. To add further clarity, educators were asked to reflect upon

comparisons between ZT and the previous discipline practices they experienced as younger teachers or students.

To explore the use of discretion when making disciplinary decisions, educators were asked to comment on whether they thought it was permissible for teachers to use discretion as well as on the conditions under which it would be acceptable. In the final section, vignettes much like those in the original design were used to further explore respondent perceptions of the use of teacher and administrator discretion in the application of discipline in ZT schools. Subjects wrote about how they believed most teachers and administrators in their district would respond to the given situation as well as the punishment likely to be applied for a particular violation. By comparing these answers to those of previous questions, the vignettes enabled the examination of apparent discrepancies or tensions between ZT meaning and application. A full copy of the survey can be found in Appendix A.

Recruitment and Selection of Participants for the Study

Since this study was designed to gather information that might offer initial confirmation that questions raised in Chapter 2 should be further researched, it should be noted, that what an exploratory study of this nature lacks in terms of generalizability and inference, it gains in terms of sampling flexibility. In other words, this study could be useful even if based on a relatively small convenience sample of respondents, provided they did not all come from the same school or district. This is because the study simply seeks to find examples of the kinds of patterns and tensions highlighted in Chapter 2. For example, Chapter 2 relates the story of the assistant principal who

ignored his school's ZT policy. Should we find additional evidence to support the possibility of such behavior, the questions raised here would be deserving of further and more careful study.

It was originally anticipated that a convenience sample of at least 50 teachers and administrators could be obtained through contact with four to six secondary schools in the central Pennsylvania region. As the end of the 2001-2002 school year approached, however, it soon became apparent that it would be difficult to establish such contacts to permit the timely distribution and return of the questionnaires.

As a result, an alternative strategy was established, specifically, to survey practitioners who were spring and summer courses or attending professional development workshops at the Penn State University Park Campus. In addition, surveys were sent electronically to a sample of Pennsylvania teachers by identifying school districts with web sites and then sending the survey to a random selection of instructional staff members. In every case, the survey was accompanied by a cover letter introducing the researcher and the purpose of the study as well as an informed consent form (see Appendix B). A total of 525 surveys were distributed, only 28 were returned.

While this seems like -and is- a disappointing return rate, the 28 returned surveys represent a sufficient body of data for this kind of high inference exploratory study. Of course, it is good to speculate as to the reasons for the low return rate (which may include the survey's length or clarity, the general willingness or ability of potential respondents to complete the questionnaire in the allotted time, etc.) in order to improve

on and extend this kind of investigation in the future.

Data Treatment and Analytic Procedure

Attempts were made to make sense of the ZT phenomena by examining the meanings people attach to it. Hence, questionnaires were constructed to provide data that would enable “specific understanding through the documentation of concrete details of practices (Wittrock, 1986, p. 121).” In other words, subjects were asked to attach meaning to ZT based on their experiences as well as to identify current ZT practices in their schools. The open-ended configuration allowed respondents to express themselves without the constraints of an imposed format (Lininger, 1975). The survey’s design also permitted the investigation of informant ‘frame of reference’ and level of experience with ZTP’s (Wittrock, 1986). In other words, subjects reflected on past disciplinary experiences to determine features that distinguish ZT from other practices.

To facilitate a disciplined inquiry, four social science criteria were considered as data was analyzed. These criteria, reflected in the work of Denzin and Lincoln (1998), were necessary when drawing conclusions based on the data received. The criteria were as followed:

Internal validity, the degree to which findings correctly map the phenomenon in question; external validity, the degree to which findings can be generalized to other settings similar to the one in which the study occurred; reliability, the extent to which findings can be replicated; and objectivity, the extent to which findings are free from bias (Denzin, 1998, p. 186).

Specific data analysis methods were based on processes suggested by Fraenkel and Wallen (2000). To ensure objectivity, surveys were coded upon receipt to retain their

anonymity. Each questionnaire was read according to subject number - starting with 01 and ending with 28. To ascertain internal validity, themes and distinctions were identified within and across groups using various methods. Each question was reviewed by multiple experts and fine-tuned. The most appropriate vignettes and questions were selected from a larger list. When examining patterns across subjects, answers were transcribed into one document and color coded to distinguish administrators, elementary, and secondary school teachers from each other. To analyze themes across questions, each subject's survey was typed and condensed into two documents. This allowed concise comparisons across inquiries and informants. Respondents were also separated into two categories dependent on whether or not they identified as having ZTP's in their schools.

This coding scheme enabled the interpretation of the full range of answers, with each question having enough cases to draw conclusions. Since points mentioned first are often the most salient, verbiage was trimmed to identify pertinent themes (Liningler, 1975). Unfamiliar vernacular was researched to enable full understanding of data received. Even though the potential for enormous variety in responses was present due to the open-ended nature of the survey (Liningler, 1975), little variation was seen in response length, and the data collected had clear themes and relationships.

By comparing responses to different questions, it was possible to map answers provided from specific questions to the conceptual framework presented in Chapter Two. Table 3.1 on the following page shows the relationship between the questions and the conceptual framework. It is important to note, that the external validity and reliability of the survey is difficult to determine. Due to small sample size,

generalizations made may only be applicable to a very small population. Furthermore, there is the possibility that a different instrument may yield different findings.

Table 3.1: Conceptual Framework

Concept	Corresponding Questions
Zero Tolerance Policy Definition- Key Features and Elements	1, 2, 3, 4
Comparisons of Other Disciplinary Policies with Current Zero Tolerance Policies	3, 4
Characteristics of Current Zero Tolerance Policy District Programs- Infraction Range and Punishment Range	1, 2
The Application of Discretion with Respect to School Disciplinary Decisions	1, 2, 5, 6-10

*see appendix for full survey

Low vs. High Inference Survey Data

Dominant themes in the categories were dimensionalized (Maxwell, 1996) and graphically displayed to enable greater understanding of data received. This technique by Hurbeman and Miles (1985, p. 351) prompted the consideration of “plausible explanations as variety and consistency in answers were related, split, and factored.”

The following quote from Rubin and Rubin (1995) exemplifies the data analysis process underwent to formulate inferences:

Data analysis is exciting because you discover themes and concepts embedded in your work. As you continue with the data analysis, you weave these themes and concepts into a broader explanation of theoretical and practical import to guide your final report (pg. 226).

When making inferences about the survey data, two distinguishing levels surfaced based on the specificity of the answers informants gave (Creswell, 1998). Low inference survey data refers to explicit statements written by informants by which intention was clearly identified. In contrast, high inference data references inferences made about consistencies and tensions seen across sets of responses when cross-question analysis was conducted. Assertions are made in the final Chapter based on modal responses and inconstancy found in answers through these inferences. Predications were developed based on these assertions regarding how educators define ZT, the infraction and punishment range to which ZT applies, and the impact of educator discretion on ZTPs.

Limitations

1. The reliability of the survey is constrained; a different instrument may yield different findings.
2. The external validity is limited due to the small sample size: generalizations may only be applicable to a small population.
3. The sample is non-random due to researcher restraints, which may impact to overall findings of the study.
4. The study depended on self-selection. Participants may have been motivated to participate in the survey for varying reasons, which could have lead to biased responses.
5. The opportunity for follow-up questions was not present—data had to be coded verbatim and is subjected to researcher misinterpretation.

CHAPTER FOUR

ANALYSIS OF DATA AND PRESENTATION OF FINDINGS

Introduction

The purpose of this study was to answer the following research question: How do educators understand, interpret, and apply the idea of ZT within their schools? This study is a preliminary examination of what educators perceive to be the key features of ZT, the range of infractions and punishments to which it applies, as well as the impact of discretion on ZTP implementation. This chapter presents both the qualitative and quantitative data acquired through the exploratory survey. A series of key comparisons, contrasts, and themes were identified during data analysis. It is expected that the results from the survey will provide a framework for further research on questions related to ZTPs.

Survey Framework

Based on the original research question, the following inquiries provided direction for the collection of data from the 28 respondents.

1. What do educators perceive as the key features and elements of a zero tolerance policy (ZTP)?
2. How do ZTPs differ from other kinds of disciplinary practices or policies, in particular, those the respondent may have used in the past or experienced as a student?
3. To what range of infractions are ZTPs applied in the respondent's school?
4. What ranges of punishments are included in the respondent's school's ZTP?

5. To what extent are disciplinary decisions within the respondent's school influenced by teacher or administrator discretion?

Demographic Information

Twenty-eight subjects participated in the survey, nineteen of which were male and nine were female. Thirteen of the respondents are administrators, fifteen teachers, and twenty-one worked in the secondary setting. In addition, four are from a state other than Pennsylvania, and two indicated that they worked in the private sector. As discussed in Chapter Three, data was gathered in a variety of ways. Respondents had varying experiences with ZTPs based on their individual situations. Of the respondents, nineteen had been in the educational profession for eight or more years; the remaining nine had seven or less years of experience.

Table 4.1 is a representation of these findings.

Table 4.1-Demographic Information

Category	Specification	Subjects
Gender	Male	19
	Female	9
Occupation	Administrators	13
	Teachers	15
Years of Experience	Seven or Less Years	9
	Eight or More Years	19
Location	Primary	7
	Secondary	21
School Affiliation	Public	27
	Private	1
Residence	Pennsylvania	24
	Out of State	4

Zero Tolerance Policy Definition- Key Features and Elements

In order to determine what respondents viewed as the distinguishing features of a ZTP, the survey instrument asked them not only to cite these features, but also to cite how ZTPs differed from other kinds of disciplinary practices. Responding in a written, open-ended format, subjects appeared to draw from national perceptions and personal experiences. The most frequent types of responses can be illustrated by the following excerpts:

“...ZT means no second chances.”

“...literally no exceptions.”

“... ZT is equal enforcement of policy.”

“...no compromise, no degrees of punishment, no addressing of factors that may have lead to the behavior.”

Based on the representative comments above and on other similar comments, respondents tend to believe that ZTPs involve the use of punishments that are fixed, strict, and uniformly applied to all students. ZTPs are blind with respect to individual circumstances surrounding a disciplinary infraction; they appear to be viewed as fundamentally bureaucratic or rational in nature.

Of the twenty-eight respondents, twenty-four cited the elimination of discretion to be a key element of the ZTP. The terms used to describe this element included “predetermined outcome,” “inflexible,” “no exceptions,” “non-negotiable,” and “lack of a second chance.” Eight of these twenty-four respondents expressed that removal of discretion requires educators to disregard individual student circumstances that may have contributed to misbehavior. Specific examples cited occurrences that they had

read about and incidents that took place in their district, while others compared it to a court-based system. One administrator wrote the following:

Zero tolerance is very similar to mandatory sentencing in the court system. It means that for specific violations, regardless of the circumstances, certain penalties will be given to the violator.

It is important to note that of the administrators surveyed, all but one indicated the inability to use discretion as a primary feature of zero tolerance.

An additional eight subjects also referred to the removal of incremental punishment as a key component of zero tolerance systems. These respondents mentioned a lack of warning based system, the elimination of the “second chance,” and the removal of the “punishment scale.” One subject wrote the following:

I feel that zero tolerance policy implies a clear action-consequence relationship. If a particular action/condition is present, then it will not be tolerated and a pre-established, defined consequence will occur.

This remark expresses the sentiments of many. The subject cites a clear relationship between an action and its specified consequences, thus appearing to minimize or even rule out the use of scaled punishments for given infractions.

Six respondents associated ZTPs with the idea of linking serious infractions to severe punishment. In other words, these respondents suggested that ZTPs are intended for offenses such as gun possession, drug use, and assault and involve the use of suspensions or expulsions. For example, one respondent stated that a ZTP is one that “features expulsion or something equivalent in seriousness.” Another wrote that “zero tolerance” should be applied only to “serious infractions, such as drug abuse, physical harm, or gun matters.” It may be inferred that these particular

subjects believe that “zero tolerance” only applies to students who have violated “serious” policies and are consequently receiving severe interventions.

Comparisons of Other Disciplinary Policies with Current ZTPs

To ascertain a better understanding of the distinguishing features of ZT, respondents described how ZT differs from the kind of disciplinary policies that they experienced as a younger teacher or student. Of those who responded, twenty-one cited specific differences and gave examples.

The strictness of zero tolerance as a differing characteristic was a common theme among respondents. Eight respondents indicated this as one of the factors that distinguished it from other disciplinary policies. Descriptive words such as “absolute,” “firm,” “less forgiving,” and “harsh” were used. The following are statements made by subjects that illustrate this finding:

“...ZTPs are stricter and less forgiving.”

“...no warnings are given and there are harsher punishments.”

“...ZTPs are more demanding.”

In addition to the strictness of the policies, another frequently occurring response was the act of discounting individual circumstances that may have attributed to student misbehavior. Seven respondents elaborated on the extent that zero tolerance ignores the situational factors existing in a given situation, which is

directly related to the elimination of “discretion” mentioned in previous paragraphs.

An administrator describes this finding:

Zero tolerance used in its purest form does not consider any extenuating factors. Historically, I think educational agencies looked to the details surrounding the situation and acted on the bases of that evaluation.

Notice the implicit recognition of “impure” forms of ZT. A female teacher voices a similar perception, comparing her teaching experiences of the past with the current ZT practices in her district:

Problems were handled based on the situation. Rules were general and teachers responded to most situations, administrators responded to more serious issues or continuous problematic behavior. Zero tolerance nips some response in the bud, in that teachers now will only refer the problems (to the administration).

In this teacher’s response, one notes the suggestion that ZTPs remove discretion not only from administrators, but also from teachers.

Eleven of the respondents emphasized the formality of ZTPs, with seven specifically mentioning how incremental punishments are no longer used. One male teacher stated; “[ZTPs] offer no second chances, thus offering greater consequences and perhaps less of an opportunity to learn by cumulatively progressive penalties.” Several subjects (3) suggested communities wanted a structured discipline policy and ZT satisfies this need. One subject commented; “the community must know what the policies are today because the punishments are so harsh.”

Several other respondents indicated that zero tolerance has changed the arena in which most disciplinary actions occur—from the classroom to the district

level. A few went further to state that the infractions to which ZTPs apply were often overlooked in the past, with many students and teachers not knowing the specific rules of their school. According to one administrator, ZTPs attempt to do away with any sort of “boys will be boys, and girls will be girls” mentality. In other words, it might be inferred from this respondent that ZT applies towards common violations that occur naturally as students progress through childhood and adolescent.

In contrast to the above perceptions, six subjects indicated that ZTPs are no different from those they experienced as students; the only distinction was that they did not use the term “zero tolerance.” One subject wrote the following:

In some ways, zero tolerance approaches how school discipline was practiced when I was in school. If you look at discipline as imposing consequences for poor choices that students make, and if you agree that successful discipline is applied consistently and is progressive in nature, then the most successful discipline should resemble “zero tolerance” in most instances, but with latitude in imposing consequences.

It is important to note the apparent contradiction between this respondent’s perception of zero tolerance and those of other respondents regarding the idea of “progressive punishment.” This person also suggests that ZTPs would resemble traditional disciplinary policies if they allowed for more “latitude in imposing consequences.”

Other respondents also stressed similarities between ZTPs and the kinds of discipline that they experienced as students. However, they went on to remark how situational circumstances were taken into account when they were students and punishment was not administered “blindly.”

Discipline in Non Zero Tolerance Schools

We also asked subjects to verify if their district followed ZTPs. Those who indicated with certainty that their school did not have a zero tolerance system in place commented on how their current discipline system is structured. This helped further distinguish ZTPs from other district programs. Out of the twenty-eight subjects surveyed, seven identified as belonging to a district without ZTPs, this included the only private school educator.

Most educational practitioners (5) in this category explained a disciplinary code or incremental punishment system based on points or levels that guided, but did not dictate, the disciplinary process. Some went further to discuss the involvement of both the teacher and administrator in the disciplinary process. An administrator made the following comment:

There is a school disciplinary policy, which spells out disciplinary actions for various types of infractions. The teachers and administrators use personal judgment to determine the severity of the infraction and assign the appropriate punishment using the policy guideline.

All respondents noted the use of personal judgment and discretion in every disciplinary situation faced, regardless of the infraction. One subject commented on inconsistencies shown by his administrator due to this discretion, while another spoke of how her principal follows “guides” to ensure some type of consistency is present.

Summary of Zero Tolerance Meaning

The following section provides a summary of the above findings. By examining the answers to survey questions 1-4, inferences were drawn on how subjects attach meaning to ZT and ZTPs. Key words and statements were identified across questions and subjects, a process which generated themes and distinctions in ZT definition. Applicable statements from subjects that required low levels of interpretation were classified as low-level inferences. Inferences drawn from the comparison of answers that are less precise called for a higher level of interpretation and are labeled as such.

Discretion- Low Level Inference

When asked to attach meaning to ZT, the inability of educators to use discretion was identified as a key feature of ZT by almost all surveyed. In addition, informants who indicated that ZT differed from disciplinary policies they had experienced as younger educators or students went further to express how ZT disregards individual circumstances that may have attributed to student misbehavior. Furthermore, when subjects in non-zero tolerance schools were asked to explain their disciplinary policies, all indicated that personal judgment was used when making disciplinary decisions. This modal response was found most frequently across answers; therefore, it is seen as the most salient component of the ZT philosophy.

Incremental Punishment- Low Level Inference

The second most significant feature of ZT focuses on the lack of incremental punishment in ZT programs. Through varying statements, subjects noted the absence of a warning based system and various degrees of punishment. When comparing ZT with policies of the past, many informants discussed incremental systems of punishments as key components of curricula they experienced as younger teachers or students. Of those in non-zero tolerance districts, over half noted the use of a structured punishment system with varying levels that guided their discipline process. These informants indicated that the punishment system was an important ingredient of their school's discipline program and a distinguishable feature when they compared their school with those that had ZT programs.

Communal Understanding-High Level Inference

The concept of shared understanding is a complex consideration needing further exploration when considering the key features of ZT. This issue of communal understanding- the need for parents, faculty, and students to understand ZTPs- was not noted as a prominent feature of zero tolerance when subjects were asked to attach meaning to the term. However, while only two informants specifically noted this understanding, it indirectly surfaced when investigating district ZT programs. Some subjects, when referring to district ZTPs, noted that parental involvement was required in the ZT discipline process. Since parental involvement is viewed as an important element of the process, it may be possible that parents are expected to be aware of the ZTPs prior to disciplinary interventions.

Upon exploration of faculty understanding, administrators who had ZT policies not only knew them, but also could list the punishments associated with them in detail. Teachers who were in ZT districts were also somewhat aware of discipline policies. Of the teachers who indicated that they had ZTPs in their schools, all demonstrated a basic awareness of policies and the sanctions associated with them. When comparing these teachers to those without ZT, their level of understanding of their school's disciplinary program seems to be more extensive.

Seriousness-High Level Inference

The notion of ZT as a 'serious' philosophy was agreed upon by six educators as a key component, yet it is unclear what exactly is meant by this description. In remarks about ZT seriousness, some subjects referenced policies while others wrote about sanctions. For example, some considered ZT serious because they thought it only applied to serious offenses, like weapon possession and drugs. Others expressed this idea of seriousness in terms of the consequences associated with ZT violations, such as expulsion. This notion of seriousness was mentioned only in the "key features" question, therefore it is difficult to precisely infer what educators feel is "serious" about ZT.

Strictness-High Level Inference

When asked to delineate between ZTPs and discipline programs of the past, informants referenced a strictness associated with ZTPs that was absent from what they had experienced as younger teachers or students. They described ZT as an absolute philosophy that was unforgiving and harsh. This terminology was not specifically used when asked to identify key features of ZT or when describing

current disciplinary practices in schools, however it may directly relate to the discretion shown by educators faced with ZTP violators. In other words, some educators may use avoid ZT because they feel the policies are too strict. Other educators noted the “unforgiving nature” of ZT and expressed frustration with ZT when answering additional questions due to this “strictness.”

Characteristics of Current Zero Tolerance Policy District Programs- Infraction Range and Punishment Range

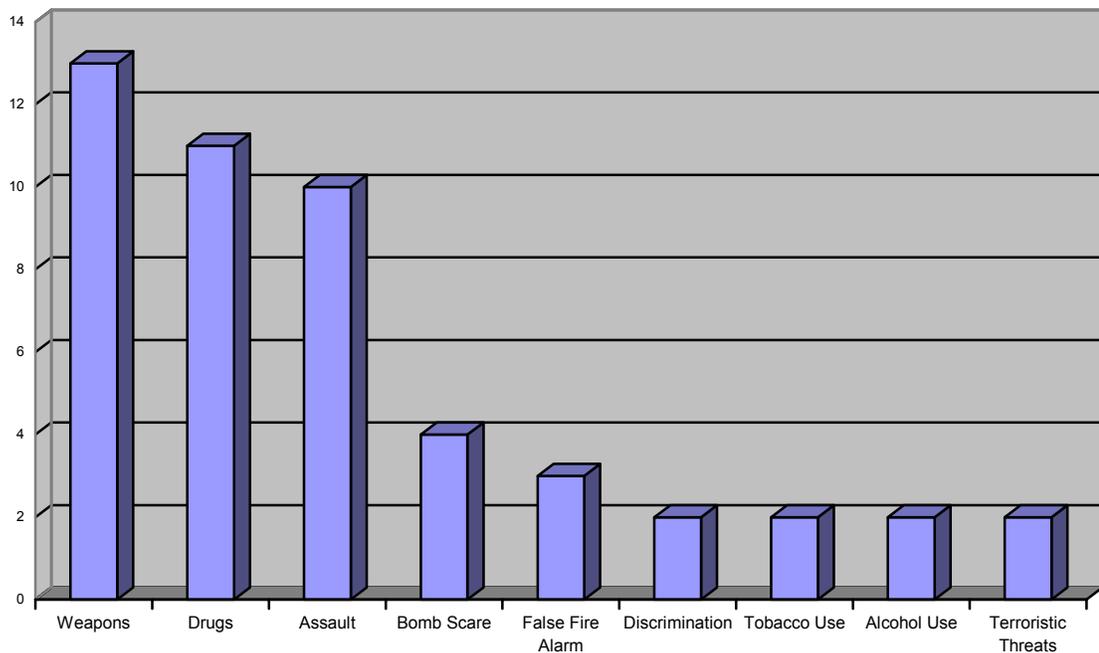
To determine how educators interpret ZT, data were collected to uncover the policies and punishments commonly associated with ZT. Subjects in ZT districts elaborated on the infractions and punishments to which their ZTPs applied. Themes and distinctions were identified. A preliminary ZT range of infractions and punishments is found in the following section.

Infraction Range

As discussed in Chapter Two, we use the term “range” to define the set of behaviors that a school defines as subject to disciplinary action. To examine the infraction range of zero tolerance, we asked subjects who identified having ZTPs in their school to describe the kinds of offenses to which their district’s ZTPs applied. This question was open ended, therefore the degree of specificity varies by subject. Practitioners (21) provided specific examples of policies in their own districts, which allowed us to explore the infraction range for zero tolerance. Of the respondents, fifteen listed multiple infractions in their schools to which ZTP applied. Weapon possession, drugs, and assault-related offenses tended to show up most frequently

in responses. Bomb scares, false fire alarms, terroristic threats, alcohol, and tobacco use followed in frequency. It seemed as if infractions that could result in violence appeared most often. Figure 4.1 is a representation of the most frequently occurring infractions to which ZTPs applied in the school districts of those surveyed.

Figure 4.1- Range of Infractions



Other offenses mentioned, but not listed in the table, included theft, arson, extortion, vandalism, harassment, and leaving campus. Furthermore, one educator discussed drug and alcohol ZTPs that applied only to athletes. Since this question was open-ended, it is quite possible more ZTPs exist in these districts. In addition, while only two subjects indicated they had policies for alcohol and tobacco use, others may also have them and indicated this when they wrote about drugs.

Within each of these infraction categories, subjects often went on to indicate the existence of sub-ranges of infractions. The following data illustrate this further:

“drug/alcohol....possession, use, distribution of an unauthorized substance.”

“weapons (actual or look alike)...possession, use, transfer of a dangerous device, explosives.”

The above accounts indicate different levels of infractions within overarching categories. The question, by design, encouraged subjects to elaborate on ZT in their districts, but did not provide a structured response that would have uncovered the specificity found in the information illustrated above. While only seven subjects indicated this additional level, it is important to note this distinction.

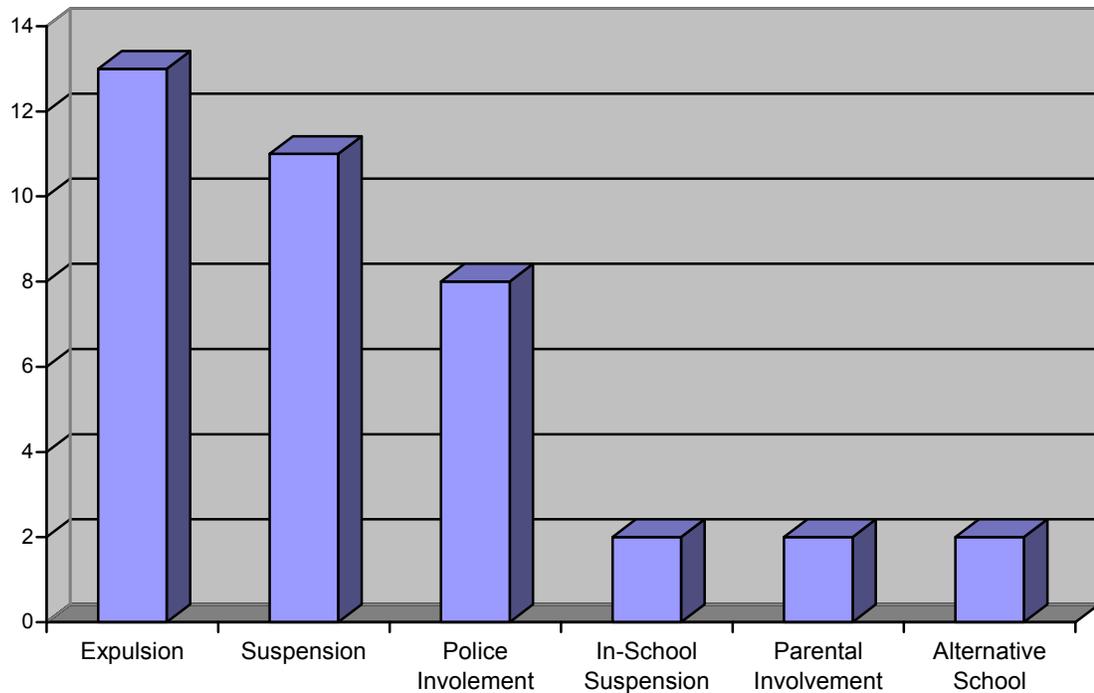
Range of Punishment

Subjects provided examples of the punishments administered when a ZTP in their school was broken. Through multiple responses, subjects mentioned more than one sanction in their ZT program. As discussed in the previous chapter, when we use the term punishment we are referring to the degree of pain, discomfort, and/or the denial of a right or resource, experienced by the student involved in an infraction of policy.

Of the twenty-one subjects who participated in this section of the survey, over half (13) indicated expulsion was the primary punishment associated with their ZTPs. Out-of-school suspension and law enforcement notification closely followed. In addition, practitioners also indicated that in-school suspension, alternative school

placement, and parental conferences were options used in their zero tolerance programs. Figure 4.2 outlines these data in detail.

Figure 4.2- Range of Punishment



Other responses in this category include driver license and extracurricular activity suspension. Based on these data, the ZT punishment range appears to span from permanent student removal to temporary privilege restriction. Variations in categorical range were found in the suspension responses. The following response illustrates this finding; "...assault/fighting- the student would receive a 3 to 10 day suspension, administrative hearing, and possible law enforcement involvement." It is important to note the possibility of some contradiction here with earlier findings.

As discussed, eight subjects indicated the removal of incremental punishment as essential to ZT programs, furthermore in schools where there was no ZT, their programs had in incremental system of punishment. However, it seems that there is a scaled punishment described in the above subject's comments. There appears to be levels of sanctions associated with at least some ZT offenses. Therefore, it could be inferred that as infractions are classified as more severe, more days of suspension are assigned; hence an incremental system of punishment is used.

Administrator vs. Teacher Response

When examining the infraction and punishment range of zero tolerance, administrators seemed to provide more detailed information. It seemed as if the administrators could provide more information about the discipline process than teachers. It may have been easier for the administrators to cite the ZTPs that existed and the punishments associated with their use in their schools when compared with teachers who completed the survey. Despite the fact that fewer administrators than teachers responded (two fewer), administrators provided more concrete examples and information about their ZT programs. For example, consider the comments by a teacher and administrator when asked to describe how their school uses ZT, the types of disciplinary infractions for which it is used, and the punishments associated with ZT infractions:

Subject 20-Teacher- "Drugs, weapon infractions."

Subject 22- Administrator

Yes, we have ZT towards weapons. All infractions go to an expulsion hearing. The board hears all evidence and one of four choices are

found: innocent, expulsion for a year, a semester, or permanent-the student would then attend an after hour alternative school to continue education-this is provided by the district and is considered a privilege - contracts are signed.

Administrators, on average, proved to be either more willing or able to provide clearer details about the ZT program at their school.

The Application of Discretion with Respect to School Disciplinary Decisions

The term discretion refers to the degree to which teachers and administrators are able to invoke personal remedies in the place of universalistic justice. To determine how ZT and discretion are related, respondents wrote about the relationship between teacher discretion and policy implementation. This process began by exploring conditions in which educators felt it was appropriate to invoke their own remedies instead of administering universal justice. The question asked was as follows:

Q5. In your opinion, is it ever “ok” for teachers to use their own discretion when it comes to enforcing school disciplinary rules? Under what circumstances could you envision a teacher not strictly enforcing an important school rule? Please give one or two examples (e.g. cite the type of infraction and circumstance under which you think a teacher might use his or her discretion).

There was a modal response for the first section of this question, with twenty-five subjects indicating it was sometimes acceptable for teachers to use discretion when enforcing disciplinary rules. Of the two subjects (one failed to respond to the

question), who indicated it was not acceptable one eloquently explained his rationale for this conclusion:

No it is not. This bastardizes the integrity of the institutional rules. Not enforcing the disciplinary code would lead to an unsatisfactory rating for that teacher and a student population more apt to work the system.

While many agreed that it was permissible to use discretion, differences in the conditions under which it was acceptable for discretion to be used by teachers surfaced. Nineteen of the twenty-five respondents indicated that it was only “ok” to use personal judgment when lower level offenses occurred. Chewing gum, swearing, and tardiness were examples listed by respondents. Two administrators specifically wrote that when ZTPs are broken, there should be no discretion used. Others agreed, as most subjects thought that when violence was present, discretion should not be used. This trend is also evident in the following statement made by a secondary school teacher:

Yes, it is okay for teachers to use discretion when there is no significant violence--suspension is not warranted. For example, late policies to class or when students have brought plastic knives to school in lunches (in one case an exchange student did this).

Of the remaining respondents, six felt it was acceptable for teachers to use discretion in various circumstances. These practitioners placed no “limitation” on the situation in which they felt discretion could and should be exercised. Some examples of situations where it was deemed acceptable for teachers to use their judgment ranged from accidental weapon possession to fighting. The following comments made by teachers, all of which were located in ZTP districts, illustrates this finding:

It is always ok for a teacher to use his or her discretion. For example, one zero tolerance rule that would not be applicable would be if a child used a knife at home to help with chores and by accident comes to school with it. Teachers who know the child could just use some common sense.

Fighting, depending on the degree of the fight.

Absolutely, discretion is important. There can be many environmental factors, etc. You need to consider if this is a student's first offense and what type of mitigating (or aggressive) circumstances exists.

Judging by comments made by these respondents, it was unclear under what circumstances teacher discretion would be inappropriate. One administrator discussed the difficulties associated with this question, asserting:

In theory, a school or any institution is better controlled and operates more smoothly when standard rules are enforced, yet teacher discretion on enforcement of actions can allow the 'human' component to exist.

Another administrator went on to say how teacher discretion could be problematic:

Discretion is important, however some teachers abuse it, and others do not use it wisely. If a teacher uses discretion in a serious (or potentially serious) matter the details should be passed to the administrator, who could determine whether the discretion was appropriate. This could prevent a great deal of small matters from becoming blown out of proportion.

This administrator acknowledges the benefits of discretion, but also cautions its use under certain conditions without administrator approval.

Zero Tolerance vs. Non-Zero Tolerance Schools

Using data obtained from question 5, comparisons were conducted between subjects with ZTPs in their districts and those without to determine if differences

existed in teacher discretion acceptability based on school discipline philosophy. Table 4.3 is a representation of this comparison. As the table demonstrates, thirteen subjects indicated they had ZTPs in their district and would only allow teachers to use discretion for lower level infractions, this was out of eighteen who were identified as educators in ZT districts. The five subjects remaining within ZT districts felt teachers could use discretion in almost any situation. Of subjects without ZTPs, six felt teachers should use discretion for lower level infractions while only one indicated it was acceptable for teachers to use discretion regardless of the situation.

Table 4.2- Acceptability of Teacher Discretion Based on Districts' Use of ZTPs

Zero Tolerance Policy in School	Discretion Use	Discretionary Use
	Low Level Infractions	High Level Infractions
Yes	13	5
No	6	1

*three subjects did not provide enough information to be classified into an infraction category

It is important to note that five of the six educators categorized as using discretion when high level infractions occurred identified themselves as teachers. This finding may have surfaced as a result of the sample. Of those surveyed, most had eight or more years of experience. Their familiarity with students, discipline, and administration may be related to their use of discretion when serious violations occur.

Apparent Discrepancies- Meaning Attached to Zero Tolerance and Zero Tolerance Application

In this section, cross-question analysis was conducted to determine if teachers and administrators will forgo their own judgment and submit any infractions

deemed as non-tolerated to a formal school disciplinary process. In addition, subjects without ZT in their schools were further scrutinized to determine if they were truly ZT free, or if they had some form of ZT that they were unaware of or that they were choosing to ignore.

Zero Tolerance Schools and Teacher Discretion

As identified in Table 4.2, eighteen subjects who responded to the teacher discretion question had ZTPs in their district. To determine if these subjects felt teacher discretion was acceptable when ZTPs were broken, a cross-question analysis was conducted. Ten out of the eighteen respondents had previously expressed a belief that teachers were required not to use discretion when ZTPs were broken. This finding is illustrated by the comments of subject 07:

Q1. Key Features of Zero Tolerance- Zero tolerance indicates that any student who takes a specific action regarding drugs, weapons, violence, etc. would be seriously punished or excluded at the first instance of this action.

Q2. District-Zero Tolerance Policies- Our school has a zero tolerance policy regarding drugs, weapons, theft, and assault. Unless a completely satisfactory explanation is provided exonerating the student from this activity, the student is expelled from our school.

Q5. Teacher Discretion- Important school rules must never be ignored, however teachers have a much closer relationship with the students than administrators. It is beneficial in some cases for teachers to initially explore circumstances of rule violations and deal with them privately rather than involving administrators whose hands may be tied with respect to enforcement. As in all areas I listed in question 2, no such discretion should be used.

In contrast, eight subjects showed inconsistency in responses across questions. Like the other subjects, these educators indicated a key feature of ZT was nondiscretion

and that their district had ZTPs in place for certain offenses. However, they also indicated that it was acceptable for teachers to use discretion in rendering disciplinary decisions, even when a ZTP was broken. Consider the comments from subject 10:

Q1. Key Features of Zero Tolerance- Zero tolerance means no compromise, no degrees of punishment, no addressing of factors that may have lead to the behavior, and unrealistic consequences.

Q2. District-Zero Tolerance Policies- Our district has zero tolerance policies for fighting: police contacted, criminal charges filed, 3 day suspension and illegal drug possession: expulsion.

Q5. Teacher Discretion- Yes (it is okay to use discretion)...for fighting, depending on the degree of the fighting, the punishment may outweigh the infraction.

In the above situation, it is clear that the subject was aware of his school's ZTP for fighting and that nondiscretion is a key component of ZT, yet he and seven others discuss the need to use discretion even when a ZTP was broken.

Discretion Use Illustrated Through Vignettes

To further examine whether significant variance exists between official policies and educator practices in ZT schools, subjects responded to five vignettes that presented specific disciplinary situations. The vignettes are as follows:

Vignette 1: A student approaches you on Monday and explains that he forgot to remove his Scout knife from his backpack after a weekend trip. What do you think the typical teacher response would be in your school? If the teacher reported the matter to an administrator, how do you think he/she would respond? If punishment was administered, what would it be?

Vignette 2- A student has drawn a picture on his notebook that shows a war scene with soldiers shooting, planes dropping bombs, and exploding

buildings. What do you think the typical teacher response would be in your school? If the teacher reported the matter to an administrator, how do you think he/she would respond? If punishment was administered, what would it be?

Vignette3- Returning to vignette 2, suppose that some of the soldiers in the drawing were labeled with the names of other students or teachers. How might this change the response?

Vignette 4- A girl has brought a squirt gun to school and is squirting other students at recess. What do you think the typical teacher response in your school would be? If the teacher reported the matter to an administrator, how do you think he/she would respond? If punishment was administered, what would it be?

Vignette 5- Two boys are seen fighting. It is known that one is a “troublemaker” and that the other is a “decent kid.” Witnesses say the “trouble maker” started the fight. What do you think the typical teacher response would be in your school? If the teacher reported the matter to an administrator, how do you think he/she would respond? If punishment was administered, what would it be?

Subjects commented on how they felt teachers and administrators would respond to the vignettes based on their own school’s policies and culture. Informants also indicated the punishment they would expect given the infraction described in the vignette.

To examine respondents’ perceptions of discretion in their schools, responses from the vignettes were classified into two major categories: discretion and nondiscretion. Responses suggested that teachers either handled the issue themselves using their discretion or referred the matter to an administrator. Subjects felt that administrators would either use his/her judgment or follow a predetermined, non-negotiable procedure when responding to violations. It was considered

nondiscretion if the teacher referred the student or if the administrator followed a discipline process that disallowed discretion. In addition, when an administrator sent the student to the central office or referred them for psychological intervention, this was also considered nondiscretion. In contrast, discretion was exhibited when either the teacher or administrator invoked a remedy based on the circumstances surrounding the incident. The identification of common themes and key words enabled the coding and classification of each comment. A table was created that divided these data into two sections. The first section on the far left has quotes from the respondents, either classified as quotes that showed nondiscretion or discretion. On the right are key words and terms used to classify the comments made by the subjects. The second section contains the punishments associated with the infraction listed. The vignette coding is found in Appendix C.

Quotes organized in the above charts enabled the analysis and classification of each situational response into the discretion or nondiscretion category. By coding these data in this manner, a comparison of how informants felt teachers and administrators would respond to similar situations was possible. It was feasible to determine if in a given situation the subjects thought teachers and administrators would respond differently and exhibit different discretion use. Table 4.3 on the following page is a summary of responses by informants in ZT schools across questions using this methodology. For each response, it was determined if that subject exercised discretion.

Twenty-four instances surfaced where subjects felt that teachers would not use discretion but the administrators would. Under these conditions, we speculate,

Table 4.3- Discretion Use Across Questions: Respondents in ZTP Districts

Vignette	1, part A	1, part B	2, part A	2, part B	3
	Scout Knife- teacher discretion	Scout Knife- administrator discretion	Picture: War Scene-teacher discretion	Picture: War Scene- administrator discretion	Picture: War Scene- student names
Respondent					
1- ADM	Discretion	Discretion	Discretion	Discretion	Nondiscretion
4- ADM	Nondiscretion	Discretion	Discretion	Discretion	Nondiscretion
5- ADM	Discretion	Nondiscretion	Discretion	Discretion	Nondiscretion
6- TEACH	Nondiscretion	Nondiscretion	Discretion	Nondiscretion	Nondiscretion
7- ADM	Discretion	Discretion	Discretion	Discretion	Discretion
9- ADM	Nondiscretion	Nondiscretion	Discretion	Nondiscretion	Nondiscretion
10- TEACH	Nondiscretion	Discretion	Discretion	Discretion	Nondiscretion
11-ADM	Discretion	Nondiscretion	Nondiscretion	Discretion	Nondiscretion
14-TEACH	Nondiscretion	Not Clear	Discretion	Not Clear	Nondiscretion
15-TEACH	Nondiscretion	Not Clear	Discretion	Discretion	Discretion
16-TEACH	Nondiscretion	Discretion	Discretion	Nondiscretion	Nondiscretion
19-TEACH	Nondiscretion	Nondiscretion	Discretion	Nondiscretion	Discretion
20-TEACH	Discretion	Discretion	Discretion	Discretion	Nondiscretion
21-TEACH	Nondiscretion	Discretion	Discretion	Discretion	Nondiscretion
22-ADM	Nondiscretion	Discretion	Discretion	Nondiscretion	Nondiscretion
23-TEACH	Nondiscretion	Not Clear	Nondiscretion	Discretion	Nondiscretion
24-TEACH	Nondiscretion	Discretion	Nondiscretion	Discretion	Nondiscretion
25-TEACH	Discretion	Discretion	Discretion	Nondiscretion	Nondiscretion
26-ADM	Nondiscretion	Nondiscretion	Discretion	Discretion	Nondiscretion
27-ADM	Nondiscretion	Discretion	Nondiscretion	Discretion	Nondiscretion
28-ADM	Nondiscretion	Nondiscretion	Nondiscretion	Nondiscretion	Nondiscretion

*Not clear means the subject did not provide enough information to be classified.

**TEACH-denotes teacher, ADM- denotes administrator.

Table 4.3- Discretion Use Across Questions: Respondents in ZT Districts (Cont.)

Vignette	4, part A	4, part B	5, part A	5, part B
	Squirt Gun- teacher discretion	Squirt Gun- administrator discretion	Fighting- teacher discretion	Fighting- administrator discretion
Respondent				
1- ADM	Nondiscretion	Nondiscretion	Nondiscretion	Discretion
4- ADM	Discretion	Nondiscretion	Nondiscretion	Discretion
5- ADM	Discretion	Nondiscretion	Discretion	Not Clear
6- TEACH	Discretion	Not Clear	Discretion	Nondiscretion
7- ADM	Discretion	Discretion	Nondiscretion	Nondiscretion
9- ADM	Nondiscretion	Nondiscretion	Nondiscretion	Nondiscretion
10- TEACH	Nondiscretion	Discretion	Nondiscretion	Nondiscretion
11-ADM	Nondiscretion	Discretion	Nondiscretion	Discretion
14-TEACH	Nondiscretion	Discretion	Nondiscretion	Nondiscretion
15-TEACH	Discretion	Discretion	Nondiscretion	Discretion
16-TEACH	Discretion	Nondiscretion	Discretion	Nondiscretion
19-TEACH	Discretion	Discretion	Nondiscretion	Discretion
20-TEACH	Discretion	Discretion	Nondiscretion	Nondiscretion
21-TEACH	Discretion	Discretion	Nondiscretion	No Response
22-ADM	Discretion	Nondiscretion	Nondiscretion	Discretion
23-TEACH	No Response	No Response	Nondiscretion	Not Clear
24-TEACH	Nondiscretion	Nondiscretion	Nondiscretion	Nondiscretion
25-TEACH	Discretion	Discretion	Nondiscretion	Discretion
26-ADM	Nondiscretion	Nondiscretion	Nondiscretion	Nondiscretion
27-ADM	Nondiscretion	Not Clear	Nondiscretion	Discretion
28-ADM	Nondiscretion	Discretion	Nondiscretion	Discretion

*Not clear means the subject did not provide enough information to be classified.

**TEACH-denotes teacher, ADM- denotes administrator.

these respondents would often refer the student to the administration and they would use their judgment when making the disciplinary decision. In contrast, fourteen situations were identified in which respondents felt that teachers would use discretion and the administrators would not. Some subjects referred to a clear, non-

negotiable consequence if the student was seen by the administrator and a desire to handle the situation themselves. While acknowledging this process was somewhat subjective, attempts to control for this subjectivity was made through the use of this rubric as a classification method. In addition, this classification method enabled analysis of answers across questions and subjects, which unveiled if the respondent was using discretion when they had a ZTP in place for that particular infraction.

Discretion in Zero Tolerance Schools

Using the information from the vignettes, consistency and contradictions were examined across responses, particularly when district ZTPs were broken. Particular attention was given to the actions that teachers and administrators would take when a violation occurred. And, if these “matched” the disciplinary philosophy associated with that offense in their school. For example, if subjects indicated that their school had a ZTP for weapons (real and look alike), their responses to the situation in which a student was using a squirt gun would enable able one to infer if they were choosing to have their district’s ZTP implemented or if educators in their district would most likely use their discretion to avoid ZT implementation.

The analysis above was applicable to eighteen subjects. In other words, these educators indicated that they had a ZTP for a particular offense that was cross-listed in the vignette section. In addition, one respondent also fit the criteria due to the fact that they indicated that assigning detentions as well as in/out of school suspensions was a part of their school’s ZT program. For infractions in which she indicated the sanction would be a detention or suspension (with no discretion begin shown), it was inferred the subject was choosing district ZTP implementation.

Of these subjects, six/eighteen showed consistency in answers across questions. In other words, they indicated their district had a ZTP for the vignette offense and that the student would be disciplined according to that policy. For example, consider the responses of this subject regarding ZT meaning, district policies, and discretion use. Then compare these answers with the response given when asked about how their colleagues would react if a student mistakenly left a scout knife in his backpack:

Q1. Key Features of Zero Tolerance- Zero tolerance policies equate to violations that lead to a specific punishment, no exceptions. The policy must be clearly understood by all concerned.

Q2. District Zero Tolerance Policies- Yes the school has zero tolerance policies for smoking, fighting, and weapons.

Q5. Teacher Discretion- Important rules pertaining to safety or state regulations should be acted upon immediately and directly in accordance with school rules.

Q6. Vignette Response –The teacher would most likely hold on to the knife, call the parents and report the incident to the administrator. The administrator response would be in accordance with zero tolerance policies.

This consistency was demonstrated by less than half of the informants. More subjects (12) were prone to use discretion when ZTPs were broken, rather than follow the guidelines set forth by their school's policy. In all, there are twenty situations in which subjects decided to not follow the ZTPs they indicated their district had in place. For example, consider a female administrator's comments when she's asked how teachers and administrators would respond to a fight in which

the student who started it was known as the “troublemaker” and the other a “decent kid:”

Q6. Vignette Response- Teachers would most likely refer the troublemaker to the office, the administrator would conference with students/witnesses, the troublemaker would be suspended.

If you go back through her survey, there is inconsistency across answers. Consider the following statements made by the subject in previous questions:

Q1. Key Features of Zero Tolerance – Zero tolerance means no second chances, no scale of punishment.

Q2. District Policies- Yes, the school has zero tolerance policies for fighting/assault (suspension/police), false fire alarms (suspension) bomb scares (suspension/police), sale of drugs (expulsion).

Q5. Teacher Discretion –For major infractions such as in question 2, no discretion is or should be allowed.

These responses would indicate this administrator associated ZT with the inability to use discretion, the district had a ZTP for fighting, and that teachers should only use discretion for lower level offenses, not for those that fell under zero tolerance guidelines. Yet, in the scenario presented, the administrator thought most teachers in his/her school would use discretion.

Further vignette response analysis of the subjects was conducted to see who was exercising ZT discretion: the teacher, administrator, or both. By analyzing discretion use in the scout knife, squirt gun, and the fight scenarios, it could be determined who was using discretion when a ZT policy was broken. Table 4.4 on the following page outlines who used discretion when ZTPs were broken.

Table 4.4- Discretion Use In ZT Schools

Vignette	Discretion Exercised By	
	Administrator	Teacher and Administrator
Knife	6	4
Squirt Gun	2	1
Fighting	6	1

*There were no circumstances in which respondents speculated that teachers would use discretion and administrators would not.

It would seem that administrator discretion would be used more when a ZT policy was broken in the fighting situation. However, based on responses to the scout knife scenario, a strong argument is presented that teachers may not subject students to ZT without considering the circumstances surrounding the incident.

Possible Zero Tolerance Policies in Schools That Claim To Be Free of Zero Tolerance

When examining the responses of the seven subjects who indicated their district did not have ZTPs, there was consistency found across five surveys. These subjects identified nondiscretion as a key feature of ZT, stated that their schools did not follow ZT, and responded to the vignettes as non-ZT schools. Upon examination vignette responses, all took into account the individuality of the situation. The comments of subject 08 reflect this finding:

Q1. Key Features of Zero Tolerance – Zero tolerance policies are a tool for administrators who do not wish to use discretion.

Q2. District Policies- No, our school does not use zero tolerance procedures or practices.

Q5. District Discipline Philosophy –There is a school discipline policy which spells out disciplinary actions for various types of infractions. The teachers and administrators use personal judgment to determine the severity of the infractions and assign the appropriate punishment using the policy guideline.

Now consider subject 08's response to the fighting scenario:

Q10. The teacher would break up the fight and send the students to the principal. The administrator is required to call the local police and give each student some sort of disciplinary action. Both students would receive an in-school suspension although the length of time might differ depending on which one was the instigator.

In this situation, the subject who commented showed the ability of the administrator to exercise some discretion when disciplining the students. The subjects in this category demonstrated the use of administrator and teacher discretion in each vignette when coming to a disciplinary decision. In a ZT system, this discretion is a direct contrast to the philosophy.

As for the ZT subjects, it was possible to go further and determine who was using discretion in these vignettes. Table 4.5 on the following page outlines which subjects in Non-ZT schools would use discretion when faced with the scout knife, squirt gun, and fighting scenario; the administrator or both the teacher and

Table 4.5-Discretion Use In Non-ZT Schools

Vignette	Discretion Exercised By:	
	Administrator	Teacher and Administrator
Knife	1	6
Squirt Gun	1	6
Fighting	5	1

*in the fighting scenario, one subject speculated that neither would use discretion due to school policies. There were no circumstances in which respondents speculated that teachers would use discretion and administrators would not.

administrator. Unlike the responses given by subjects working with ZTPs, it seemed that these subjects were more likely to have teachers make decisions about disciplinary consequences in the knife and squirt gun scenario. However, both the ZT and Non-ZT educators on average, disallowed teacher discretion when fighting occurs.

Contradictions surfaced in two surveys. The first discrepancy involved an administrator who indicated his district did not follow formal ZT policies. However, when one of his vignette answers was analyzed and a cross-question analysis was completed, it could be inferred that his district did follow ZT and that he and other practitioners were choosing not to adhere to them. The following is the administrator's response to the scout knife scenario:

Q6. The teacher and administrator would probably take the knife from the student, call the parents and ask them to come get it. The administrator may give an explanation to the parents of the importance and dangers of the student's actions. If the punishment were administered, it would be 3-days out of school with an informal hearing.

Another respondent also showed this inconsistency. Consider responses made by the following respondent to questions about ZT philosophy and the discipline policies in his school:

Q1. Key Features of Zero Tolerance – Zero tolerance implies to me there is no 'gray,' it seems as if any infraction will be treated as all.

Q2. District Policies- We really do not use that terminology in our formal disciplinary procedures.

Q5. District Discipline Philosophy –We have a level of discipline procedure—a level one infraction is quite different from a level four. You could have something as minor as excessive chatting to as major as bringing a weapon to school.

Now consider how this same subject's response to the fighting scenario in which there is a troublemaker who started the altercation and a decent student:

Q10. Most teachers/administrators would write up the students, have a parent conference, and respond to it as a level 3 infraction. The disciplinary process would likely call for the suspension of both students.

The punishment associated with the fighting offense in this subject's district may actually be a ZTP. Both students are receiving the same intervention and there is no indication that the "decent" student or the "troublemaker" would be treated differently.

Discretion Similarities Between Zero Tolerance and Non-Zero Tolerance Schools

Most educators indicated that it was acceptable for teachers to use discretion when low-level infractions occurred according to the answers in question five; this

was regardless of their schools adherence to ZTPs. This finding also was shown during the vignette section. The following was presented to subjects:

Vignette 2- A student has drawn a picture on his notebook that shows a war scene with soldiers shooting, planes dropping bombs, and exploding buildings. Would do you think the typical teacher response would be in your school? If the teacher reported the matter to an administrator, how do you think he/she would respond? If punishment were administered, what would it be?

Most subjects (21) responded to this inquiry in the same way regarding teacher response. They saw this as a lower-level infraction and thought most teachers in their school would handle it themselves. Consider the following statements from respondents and ZT and non-ZT schools:

Subject 01-ZT School: Most would talk to this student. I think though most would consider the students history, peer group and connections to the community.

Subject 04-ZT School: Most would ignore the student unless the student was not attending to the lesson.

Subject 08-Non-ZT School: Most of us would find out why the student drew those scenes.

Subject 18-Non-ZT School: Most would talk with the student and maybe send the child to the counselor.

When the situation was rephrased and names of fellow classmates or teachers were placed under the war scene, respondent answers drastically changed. Consider the reactions demonstrated by the same subjects:

Subject 01- ZT School-This would change the response significantly and we would go to the administration.

Subject 04- ZT School-There would be a big difference since there is an implied threat in the picture and would need to be address. Administration and teacher response would be scaled up.

Subject 08- Non-ZT School-It would be taken more seriously and investigated more thoroughly, possible referral to our student assistance program.

Subject 18-Non-ZT School: I would send the student to the principal. I would not handle the consequences of this incident.

All respondents indicated that most teachers in their school would refer the matter to another person, most often an administrator or school counselor. This is consistent with the findings from question five that assert that when higher-level infractions occur, teacher discretion should not be used. It would seem that teachers use judgment in evaluating “symbolic violence, “ whether it is completely “imaginary” or holds some potential to become real.

CHAPTER FIVE

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Summary of Findings

The overarching research question for this study was “How do educators understand, interpret, and apply the idea of ZT within their schools?” To investigate this question, an exploratory study was conducted. A questionnaire was completed by 28 educational practitioners throughout the Northeast region. The questionnaire was based on five secondary inquiries that guided the research process. These inquiries were as follows:

- 1) What do educators perceive as the key features and elements of a zero tolerance policy (ZTP)?
- 2) How do ZTPs differ from other kinds of disciplinary practices or policies, in particular, those the respondent may have used in the past or experienced as a student?
- 3) To what range of infractions are ZTPs applied in the respondent’s school?
- 4) What ranges of punishments are included in the respondent’s school’s ZTP?
- 5) To what extent are disciplinary decisions within the respondent’s school influenced by teacher or administrator discretion?

To shed light on these questions and offer direction for future research, subjects responded to a series of ten inquiries. The initial five questions were open-ended, designed to clarify ZT definition, policies, and the appropriateness of teacher discretion when infractions occur. The first question had informants identify key

elements they associate with ZT. The second asked the subjects to identify if they had zero tolerance policies in their schools and to describe them. The third question had subjects in non-ZT schools explain their discipline programs. Next, subjects explained their past discipline experiences as students or younger teachers. The final open-ended question had educators comment on whether they felt teacher discretion (with regards to discipline) was appropriate and under what conditions.

In addition to collecting descriptive information from respondents, data were used to develop inferences about inconsistencies between stated beliefs and actual behaviors. This important section was designed to examine the relationship between ZTP perception and actions. To achieve this goal, five vignettes were used. In each of the vignettes, informants predicted how faculty in their school would react to given situations as well as the punishment associated with a particular infraction. Themes and distinctions across subjects and questions served as the foundation for data analysis.

Zero Tolerance Key Elements

Responses suggest that teachers and administrators view ZT differently from other discipline programs. Most of the educators in the sample saw ZT as a bureaucratic and punitive response to disciplinary infractions. Key features they attached to ZT included nondiscretion, non-incremental punishment, importance of communal understanding, and strictness of punishment. Responses appear to reflect a belief that ZT attempts to make more students obedient through rigid punishments that are unwavering and non-negotiable. A strong suggestion ran

through the responses that there was no “human” or healing element associated with ZT. In fact most educators felt that ZTPs were designed to remove human influence completely.

Zero Tolerance Infraction Range and Punishment Range

The term “infraction range” refers to the set of behaviors that a school characterizes as subject to disciplinary action. For all respondents in schools with ZTPs, the range is viewed as including infractions that have some element of violence or danger. Weapon possession, drugs, and assault were the most common offenses to which ZT applied. Within the ZT infraction range, responses indicated the existence of another layer beneath the overarching policy category. For example, within the ‘weapon possession’ category, some subjects commented on an additional range that classified what constitutes a weapon (e.g. real vs. “look alike”). Due to data limitations, it was not clear how extensive this sub-range was and to what infractions it might apply. Less dangerous, non-violent violations were not included in the respondents’ ZT infraction range. This would appear to be in contrast with numerous news stories in recent years describing what some consider to be the inappropriate use of ZTPs. Subsequent research could help reveal the extent to which ZT “horror stories” are or are not representative or widespread across educational practice.

The term “punishment range” applies to the degree of pain, discomfort, and/or denial of a right or resource, experienced by the student involved in a infraction. According to educators in the sample, the ZTP range of punishment tends to focus

around temporary and permanent student removal. These educators cited expulsion and suspensions as the most common sanctions associated with ZTPs. When suspension was used as a ZT option, an additional range surfaced, with students found in violation of more “serious” policies receiving more days of suspension. This suspension could take place inside or outside of school. In addition to academic removal, participation restriction in extracurricular activities was also within the ZT punishment range.

For the most part, educators in the sample associate district ZT programs with serious infractions and severe penalties. ZT punishments focused on student removal from either school or extracurricular activities. However, confusion existed on how extensive these ZT programs are and who exactly has them. None of the respondents mentioned the Gun-Free Schools Act (Phipo, 1998) although it is a ZTP that all schools must follow. Respondents who did have ZTPs did not appear to know or at least did not report extensive amounts of information about them, unless they were a school disciplinarian. Hence, the width and depth of the infraction and punishment range were unclear since many of the educators who responded to the survey seem to be unsure of the extent of their school’s ZT programs.

Teacher Discretion and Discipline Enforcement

The term discretion refers to the degree to which teachers and administrators are able to invoke personalistic remedies in the place of universalistic justice. Most educators in the sample, regardless of whether their schools had ZT, felt it was acceptable for teachers to use discretion when enforcing disciplinary rules.

Difference existed regarding the circumstances these practitioners felt must be present for teachers to use discretion. Most felt it was appropriate for teachers to use their judgment for lower level infractions, for example, name calling, eating in class, or swearing. On average, it seemed that, as the potential for violence increased in a given situation, these administrators and teachers felt that teacher discretion should not and was less likely to be used. It is also important to note that a few educators in the sample did feel it was acceptable for teachers to use discretion when higher level infractions occur as well (e.g. fighting and weapon possession). Of those who did feel this way, most were teachers and some were located in ZT districts.

Zero Tolerance Contradictions and Tensions Uncovered: Vignette Section

ZT tensions and contradictions were uncovered when early responses were compared to the respondents' reaction to a series of vignettes. Discrepancies in ZT meaning were present, as subjects appeared to contradict their answers across questions. This inconsistency was evident when subjects were asked to describe key features of ZT, the punishments associated with ZT, and when it was acceptable for teachers to use discretion. In this section, most subjects with ZTPs in their schools indicated faculty would use discretion when a ZTP was broken, thus altering the formally specified sanction. This discretion affected how ZT was interpreted, implemented, and applied. For example, one educator indicated his/her school had a ZTP for knives, but instead of adhering to the ZTP, they thought most teachers in their school would simply tell the student to take it home. Furthermore, one

respondent openly stated they would not follow certain ZTP in their school because they felt the punishments outweighed the offense.

To what extent might administrative theory help explain these apparent contradictions? On answer may lie in the relationship between the development of school policies and teacher implementation, as examined by Robinson and Timperley (1998). As part of a study on faculty collegiality, they investigated how teachers respond when asked to participate in decision making with administration and other staff. They found that teachers participating in collegial decision making sessions tend to respond supportively or at least remain silent regarding solutions to issues that they know are either ineffectual or that will hamper their ability to practice their craft effectively. They will often ignore or modify these policies to correspond with their own needs. This concept of espoused verses latent constraints relates to ZT implementation, for teachers may appreciate the rationale behind ZT but feel discomfort over implementation, which is why they use their discretion to limit “unfair” consequences. Fears over damaging relationships with students and losing autonomy, are examples of ‘theory-in-use’ constraints and may lead teachers and administrators to alter or evade ZT policies. This may help explain the disconnect between the stated views and behavioral practices evident in the present data.

The discretion shown by educators, particularly teachers, in ZTP districts raises questions about the effectiveness of ZT formality. Some educators in the study followed ZT precisely as written. Others did not show this consistency. In contrast, these subjects acknowledge that nondiscretion was a key component of ZT, but also felt teachers as well as administrators could and should use discretion

when ZTPs rules were broken by students. Of these educators, some went further and denounce their own ZTPs and claimed they would not adhere to them because they felt the “punishment outweighed the infraction.” This was a common trend, as educators in the sample with ZT in their schools were more likely to not adhere to ZTPs and use diplomacy, thus allowing the ZT violator to receive a sanction outside of the prescribed ZT intervention when answering the vignettes. In most of these cases, the administrator was more likely to use discretion than the teacher.

The above findings suggest an element of informality within some ZT systems. If teachers and administrators in the sample were not adhering to their “perceived” definition of ZT, the purpose and effectiveness of these policies come into question. It could be that the unwavering “justice” ZT executes has created a situation ripe for subterfuge. Or perhaps people accustomed to humanistic discipline methods hesitate to remove the “human” element even when instructed to do so. It may also be the case that having and espousing a ZTP is more important symbolically than in actual practice. Nonetheless, further examination of this tension between the use of formal and informal remedies is necessary.

Conclusions

ZT has revolutionized the way many schools discipline our nations' youth. It has been used to combat violence as well as to control classroom indiscretions. It has spread from being applied to real guns to squirt guns, from illegal drugs to Tylenol, from serious sexual harassment to innocent playground kisses. Despite the breadth of its application, fundamental similarities in ZT perceptions and policies may exist across ZT programs and practices.

It is clear that ZT is punitive, designed to deter perpetrators and send a clear message of deterrence to others through example (Barnard & Burner, 1975). In theory, the rules and consequences in ZT systems are clearly defined and are supposed to be universally applied (Button, 1983). The most salient feature of ZT, the removal of discretion, clearly classifies it as a punitive and bureaucratic approach to misbehavior since the cause or reason for student misbehavior is not considered when addressing ZT violations. The sanctions associated with ZT are also punitive. In other words, ZT lacks an incremental sanction system which separates it from humanistic programs that are rehabilitative in nature (Butchart, 1998). Since there are no second chances in ZT, a warning-based system is absent; hence, in theory, incremental punishment does not exist. The rigid nature of these programs is intended to convey the clear relationship between an action and its specified consequence. The phrase "when you do the crime, you do the time," rings true for ZT offenders, in that ZT in its purest form does not allow for punishment manipulation (Butchart, 1998).

Educators in the sample identified nondiscretion as a key theme in ZT programs, thus uncovering the misinterpretation discussed in Chapter Two regarding law and policy by local school officials. For example, the Guns-Free School Act allows educators to use some degree of discretion when “weapons” are brought to school depending on the individual circumstances. Yet, for some reason this has become lost in school ZTP development as districts misconstrued the original language and intent of federal government ZT legislation (Phipo, 1998). While most federal and state ZTP may allow for administrative discretion, many administrators appear to have “washed their hands of it.” This metamorphosis has locked administrators across the country into decisions from which they can not escape and which may be difficult to defend, leaving some faculty to express feelings of discontent and helplessness. This definition mutation may have resulted from legal pressures to increase school safety or simply the urge to be rid of trouble markers as quickly and with as little hassle as possible. It is certain that the educators in the study have eliminated this escape clause, at least in their formal perception of ZTPs. In doing so, educators contributed to ZT’s reputation of undue harshness and arbitrariness, one that it might not necessarily have deserved.

It is clear that nondiscretion in ZT schools sent a social message to educators in the study. President Clinton’s intention of instilling the idea that certain behaviors will not be tolerated from an administrative standpoint (Phipo, 1998) seems effective and was a clear theme in responses. However, the importance of this symbolic message in deterring or decreasing student misbehavior was not evident. In fact,

none indicated a belief that ZT nondiscretion sends a powerful message to students that certain behaviors will not be tolerated which in turn influenced their behavior.

Educators have a profound internal ambiguity over the wisdom, practicality, and professional usefulness of ZT policies. They will support them “in public” or “in theory,” but many question or even reject them tacitly. This perhaps explains why some who adhere to ZT follow the formality of the policies almost militaristically while others externally disconnect from ZTP and disregard them completely. ZT attempts to be formal and universalistic by nature, but it sometimes fails to do so, which is indicated by the actions of those in the study. In other words, teachers and administrators compensate for their inability to control the discipline process (Abernethy, 1997) by using discretion when ZT situations occur. This may be an indication that bureaucratic-legislative approach to student discipline alone is often ineffective.

Recommendations

This study provides the framework for future zero tolerance research. The recommendations developed from this study target administrators and future academic researchers. This section demonstrates the need for administrators to evaluate district ZTPs to determine if they are useful or if they should be abandoned. It also suggests researchers examine the relationships between informal teacher discretion and ZT.

Recommendations for Administrators

Based on the findings of this study, it is suggested that many administrators will wish to reevaluate the ZTPs in their school districts. This analysis will enable administrators to determine if their district's ZT program is working as intended. Administrators should begin this evaluation process by examining the intent of these programs through the identification of a working definition of ZT in their district. Next, it is suggested that administrators assess communal understanding of the policy to determine who is aware of their ZT program (e.g. faculty, students, and parents) and what their perception of it is. It is recommended that an examination of ZT implementation in the school be conducted, to determine if those rendering discipline are enforcing the policy as prescribed or if discretion is prevailing. This evaluation process should enable some administrator to determine if district ZTPs are being implemented as intended. It might also help foster a discussion as to what kind of discipline policies are most useful, practical, or desirable.

It is suggested that if administrators are not satisfied with district ZT programs after this evaluation process, they reevaluate the need for ZT in their schools. If teachers are using discretion to prevent ZT implementation, administrators should determine why this is happening. Stricter enforcement of ZT by administrators could be seen as a solution to problematic ZT programs. However, this is not the suggested course of action, particularly if teachers are using discretion to avoid ZT implementation. Instead, it is suggested that administrators and teachers together develop a new discipline program that incorporates the use of flexibility as a means

of promoting a less bureaucratic and more communally just setting.

Recommendations for Future Research

This section consists of recommendations for future research in the area under study. Providing clarity to key elements of ZT that were not clearly defined through this study is where future research should begin. It should aim to gather more information on the conceptual framework presented in Chapter Two; ZT infraction range, ZT punishment range, and the impact of discretion on ZT. Most importantly, future research should center on the continuation of ZT as a viable means of behavior control. The information provided from this exploratory study may serve as a resource for the future investigation of these recommendations.

While there were thematic similarities in how many educators in the study attached meaning to ZT, distinctions also existed that need further scrutiny. For example, most subjects noted that nondiscretion was a key element of ZT and it was clear this meant discretion should not be used when making ZT discipline decisions. In other circumstances, respondents mentioned elements they identified with ZT that were more ambiguous in meaning. Terms such as communal understanding and strictness were noted by some as important ZT components. However, it was unclear what was meant by these terms. The role of the community was uncertain, nor was it clear what was meant by ZT strictness. If future research aims to provide even further clarity to ZT definition, the notion of community and strictness need further examination.

The infraction and punishment range of ZT is also in need of additional analysis. Focus should be on uncovering these ranges further based on the initial findings of this study. A larger investigation, one in which information is gathered from school disciplinarians may indicate a wider punishment and infraction range. Attention must be placed on the secondary category that emerges in the infraction range as well as the suspension punishment scale that seems to exist. This information is vital to determine whether educators use discretion due to the infractions and punishments associated with ZT.

The tendency of educators to use discretion when faced with ZT implementation is the most important quandary that deserves additional scholarly study. Preliminary findings indicate that ZT is not being applied as consistently as many might perceive it to be. It would be beneficial to see how educators would respond to vignettes in which they were asked to make a decision in which they know how the district would like them to respond, to see if discretion is as pervasive as it was in this study. Also, a broader descriptive investigation regarding the representation of ZT “horror stories” is recommended. By determining if these occurrences are the exception or the rule in terms of ZT implementation, will further shed light on the impact of discretion on ZTPs. A qualitative study, in which teachers and administrators are interviewed, is the suggested way to gather future data on this topic.

APPENDIX A

SURVEY

This questionnaire focuses on the use of “zero tolerance” disciplinary policies in public schools. Please respond to the questions below. Your responses will contribute to helping researchers and educators better understand the concept of “zero tolerance,” how educators perceive it, and how schools implement it.

1. When you think of the term “zero-tolerance policy,” what key features or ingredients come to mind? In other words, what distinguishes a “zero tolerance” policy from other kinds of disciplinary policies?

2. Does your school’s disciplinary policy include “zero tolerance” practices or procedures? If your answer is something like “definitely no,” **please skip to question 3**. Otherwise, please describe how your school uses “zero tolerance.” For example, what are the kinds of disciplinary infractions for which it is used? What are the kinds of punishments associated with “zero tolerance” infractions?

3. **(Please skip if you responded to question # 2.)** If your school does not use a “zero tolerance” disciplinary policy, how would you describe or characterize the way in which discipline is applied in your school (either by classroom teachers or by administrators)?

4. Please describe how you feel “zero tolerance” practices differ from the kind of disciplinary practices you experienced as a student (or those you may have used early in your teaching career, for example).

5. In your opinion, is it ever “ok” for teachers to use their own discretion when it comes to enforcing school disciplinary rules? Under what circumstances could you envision a teacher not strictly enforcing an important school rule? Please give one or two examples (e.g., cite the type of infraction and circumstances under which you think a teacher might use his or her discretion).

Questions 6 through 10 ask you to speculate as to how teachers and administrators in your school might react to a given disciplinary incident.

6. A student approaches you on Monday and explains that he forgot to remove his Scout knife from his backpack after a weekend camping trip.

What do you think would be a typical teacher response in your school?

If a teacher reported the matter to an administrator, how do you think he/she would respond?

If punishment were administered, what would it be?

7. A student has drawn a picture on his notebook that shows a war scene with soldiers shooting, planes dropping bombs, and exploding buildings.

What do you think would be a typical teacher response in your school?

If a teacher reported the matter to an administrator, how do you think he/she would respond?

If punishment were administered, what would it be?

8. Returning to question # 7, suppose that some of the soldiers in the drawing were labeled with the names of other students or teachers. How might this change the response you gave above?

9. A girl has brought a squirt gun to school and is squirting other students at recess.

What do you think would be a typical teacher response in your school?

If a teacher reported the matter to an administrator, how do you think he/she would respond?

If punishment were administered, what would it be?

10. Two boys are seen fighting. It is known that one is a “troublemaker” and that the other is a “decent kid.” Witnesses say the “troublemaker” started the fight.

What do you think would be a typical teacher response in your school?

If a teacher reported the matter to an administrator, how do you think he/she would respond?

If punishment were administered, what would it be?

Background questions:

Gender:	Male	Female	
Years of Teaching Experience:	Less than 1 Year		
	1-3 Years		
	4-7 Years		
	8-10 Years		
	10-More Years		
Position:	Teacher	Administrator	
School Level:	Elementary	Middle	High

Please approximate the time you started to learn about zero tolerance as a disciplinary method: _____

APPENDIX B

HUMAN SUBJECT APPROVAL

INFORMED CONSENT FORM FOR BEHAVIORAL RESEARCH STUDY

The Pennsylvania State University

Title of Project: Zero Tolerance Survey: Development of an Instrument to Measure How Zero Tolerance is Perceived by Teachers and Implemented in Schools

Person in Charge: Christine Trodden Ackerman
5 Porter Hall
University Park, PA 16802
814-862-5264
cmt9@sa.psu.edu

1. This section provides an explanation of the study in which you will be participating:

- A. The purpose of my research is to develop a reliable instrument to gather information about the concept of zero tolerance as it is perceived by educators and implemented in schools.
- B. If you agree to take part in this research, you will need to fill out the enclosed survey. The zero tolerance survey is five pages in length with two major sections. At the end of the survey, there are inquiries aimed to assess the clarity of the instrument.
- C. Your participation in this research will take approximately 30 minutes.
- D. You will receive no compensation for your participation in this study.

2. This section describes your rights as a research participant:

- A. You may ask questions about the research procedures, the person in charge will answer these questions.
- B. Your participation in this research is confidential. Only the person in charge will have access to the information that can be associated with your identity, as they will be the only person who hands out the survey and collects it. In the event this research is published, no personally identifying information will be disclosed.

- C. Your participation is voluntary. You are free to stop participating in this research at any time and are able to skip any of the questions on the survey.
- D. By participating in this study, you will help refine an instrument that can be used in future zero tolerance research.
- E. This study involves minimal risk; that is, no risks to your physical or mental health beyond those encountered in the normal course of every day life.

3. This section indicates that you are giving your informed consent to participate in this research:

Participant:

I agree to participate in a scientific investigation of zero tolerance policies in schools as an authorized part of the education and research program of the Pennsylvania State University.

I understand the information given to me and I have received answers to any questions I may have had about the research procedure. I understand and agree to the conditions of the study described.

To the best of my knowledge or belief, I have no physical or mental illness or difficulties that would increase risk to me as a result of my participation in this study.

I understand that I will receive no compensation for participating in this study.

I understand that my participation in this research is voluntary and that I may withdraw from the study at any time by notifying the person in charge.

I am 18 years of age or older.

I am currently a teacher or administrator.

I understand that I will receive signed copy of this consent form.

Signature _____

Date _____

Researcher:

I certify that the information consent procedure has been followed and that I have answered questions from the participant above as fully as possible.

Signature _____

Date _____

APPENDIX C

VIGNETTE CODING

Discretion v. Nondiscretion in Vignette Responses

Vignette 1: A student approaches you on Monday and explains he forgot to remove his knife from his backpack after a weekend camping trip.

Vignette 1, part A: What do you think the typical teacher response would be?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Nondiscretion

“They would report the student to the administrator.”

“They would send the student immediately to the office with their backpack.”

Discretion

“Most teachers would say it was ‘ok’ this time, but it should never happen again.”

“Most would tell the student to give the knife to them to be returned at the end of the day and the student would be warned to not forget again.”

Key words or phrases used for classification:

Nondiscretion

Refer to administrator.

Send to office/principal.

Discretion

Second chance.

Take it and give back at the end of day.

Talk to the student and remind them of policy.

Vignette 1, part B: What do you think the typical administrator response would be?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Nondiscretion

“If zero tolerance applies the appropriate actions should follow.”

“The school administrator would confiscate the knife, call the parent(s), and notify the superintendent and police.”

Discretion

“The first time they would confiscate, call the parent, and give the knife to the parent if the story was verified. The second time, the students would have an expulsion hearing.”

“It varies from no action to suspension based on the verification of circumstances.”

Key words or phrases used for classification:

Nondiscretion

Follow guidelines.

Follow procedures.

Notify appropriate persons.

Discretion

Verify the story.

Talk to the student and ask them not to do it again.

Second chance.

Vignette 1, part C: If punishment were administered what would it be?

Sample of Quotes from Respondents

“Expulsion.”
“Suspension.”
“Several detentions.”
“Calling the parent.”
“No punishment as long as the student took the initiative to explain why the knife was present.”

Conclusions

Range varies

Specific sanctions were identified

Vignette 2: A student has drawn a picture on his notebook that shows a war scene with soldiers shooting, planes dropping bombs, and exploding buildings.

Vignette 2, part A: What do you think the typical teacher response would be?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Nondiscretion

“Most would give it to the administrator on duty.”

“Most would refer the student to the guidance counselor.”

Discretion

“Most would talk to the student—we are all concerned about this type of thing. I think most would consider the student’s history, peer group, connections to the school community. They also might refer to the guidance counselor or principal.”

“There would be little or no response.”

Key words for phrases used for classification:

Nondiscretion

Refer to administrator/principal.

Send to guidance counselor/SAP.

Discretion

Figure out why the drawing was done.

Make a decision based on student history.

Vignette 2, part B: What do you think the typical administrator response would be?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Nondiscretion

“They would have the student go to the psychologist to figure out what was wrong with them.”

Key words or phrases used for classification:

Nondiscretion

Refer to appropriate professionals-

"They would explain to the student why the behavior was inappropriate and have them miss recess."

psychologist/guidance/SAP.

Assign a specific sanction-suspension/detention.

Discretion

"The administrator's response depends on why the student drew the picture."

Discretion

Figure out why the drawing was done.

"They would question the student and deem whether there is cause for alarm."

Make a decision based on the information give by student/teachers/ and peers.

Vignette 2, part C: If punishment were administered what would it be?

Sample of quotes from respondents:

Conclusions

"In/out of school suspension."

Range varies.

"Detention."

"Missed recess."

Specific sanctions identified.

"Counseling referral."

"Verbal warning."

"None."

Vignette 3: Returning to Vignette 2, suppose that some of the soldiers in the drawing were labeled with the names of other students or teachers. How might this change the response you gave above?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Key words or phrases used for classification:

Nondiscretion

"This would change the response significantly and we would go directly to the administration."

Nondiscretion

Refer to administration.

"The student would be removed from class and perhaps suspended immediately."

Specific "procedure" in place that removes discretion from the teacher.

Discretion

"It is unfortunate, but it depends on the student and in what context the drawing was done as well as the specific actions of the students in the drawings."

Discretion

Consider the student's academic and social situation.

"Again this would probably constitute a SAP referral, but it depends on how the students/teachers were portrayed. This could be a discipline hearing as well."

Consider the actual drawing.

Vignette 4: A girl has brought a squirt gun to school and is squirting other students at recess.

Vignette 4, part A: What do you think the typical teacher response would be?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Nondiscretion

“Most would take the squirt gun and take the student to the office.”

“Most would take the squirt gun away, explain the gun part and take her to the principal.”

Discretion

“Most would take away the squirt gun and instruct her to never bring it again.”

“Most teachers would take the gun away and treat it as if it was a nuisance toy.”

Key words or phrases used for classification:

Nondiscretion

Refer to main office.

Refer to principal

Discretion

Handle the situation themselves.

Not alert administration to the problem.

Vignette 4, part B: What do you think the typical administrator response would be?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Nondiscretion

“They would call the parents and give a Saturday detention.”

“It could be considered a ‘look alike’ and the response would be dictated by zero tolerance.”

Discretion

“The student would see an administrator/counselor to determine intent-anecdotal history would be reviewed.”

“Most would just take the squirt gun.”

Key words or phrases used for classification:

Nondiscretion

Assign a specific sanction.
Follow assigned procedures.

Alert the central administration.

Discretion

Review the students discipline record and make a decision.

Not consider it a discipline issue.

Vignette 4, part C: If punishment were administered what would it be?

Samples of quotes from respondents:

“Recommendation for expulsion.”
“Three day suspension.”
“In-school suspension.”
“Detention.”
“None.”

Conclusions

Range varies.
Specific sanctions assigned.

Vignette 5: Two boys are seen fighting. It is known that one is a “troublemaker” and that the other is a “decent kid.” Witnesses say the “troublemaker” started the fight.

Vignette 5, part A: What do you think the typical teacher response would be?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Nondiscretion

“Most would break up the fight and refer to the administrator.”

“Most would report the incident fully to the administration with as much background known.”

Discretion

“Most would yell at the students and break up the fight. Some would seek out information from the students and counsel them.”

“Most would refer just the trouble maker to the office.”

Key words or phrases used for classification:

Nondiscretion

Refer to administrator/principal.

Discretion

Figure out why the fight started and make a decision based on what is discovered.

Refer only one student.

Vignette 5, part B: What do you think the typical administrator response would be?

Sample of quotes from respondents ranging from nondiscretion to discretion:

Nondiscretion

“They would suspend the students and involve the local police.”

“They would give a three day in-school suspension to both students.”

Key words or phrases used for classification:

Nondiscretion

Both students would receive the same sanction.

Procedure in place that must be adhered too-parents/police/adm.

Discretion

“Consequences would be fair- both would be punished but the instigator may suffer more extreme action.”

“It would all depend on the actions of the decent kid.”

Discretion

The “starter” would receive a tougher sanction.

Decision based on the actions of the decent child/troublemaker.

Vignette 5, part C: If punishment were administered what would it be?

Sample of quotes from respondents:

“Expulsion.”

“Three days out-of-school suspension, citation from the local police, and a \$300 fine.”

“In-school or out-of-school suspension depending on the severity of the fight and how many times the kids may have been involved in discipline matters.”

“Parents called, police called, and detention.”

“In all likelihood, both boys would be punished for fighting, however the one starting the fight would receive a more severe punishment. The only way a student would not be punished is if they were using reasonable force to defend/protect themselves.”

Conclusions

Range varies.

Range based on the individual actions of each student or is predetermined and nonnegotiable.

REFERENCES

- Abernethy, M. A. & Brownell, P. (1997). Management control systems in research and development organizations: The role of accounting, behavior and personnel controls. Accounting, Organizations and Society 22, (3-4) 233-248.
- Anderson, J. D., Cuban, L., Kaestle, C. F., Ravitch, D., & Tyack, D. (2001). School: The Story of American Public Education. Boston, MA: Beacon Press.
- Ayers, R., Ayers, W., & Dohrn, B.(Eds.) (2001). Zero Tolerance. New York: The New Press.
- Barnard, J. & Burner, D. (Eds.) (1975). The American experience in education. New York: New Viewpoints.
- Bolmeier, E. C. (1976). Legality of Student Disciplinary Practices. Charlottesville, VA: The Michie Company.
- Bowman, D. H. (2002). Interpretations of 'Zero Tolerance' Vary. Education Week, 21, (30), 1-13.
- Butchart, R. E. & McEwan B. (Eds.) (1998). Classroom Discipline in American Schools: Problems and Possibilities for Democratic Education. Albany, NY: State University of New York Press.
- Button, H. W. & Provenzo, E. F. (1983). History of Education and Culture in America. Englewood Cliffs, NJ: Prentice-Hall.
- Cauchon, D. (1999). Zero-tolerance policies lack flexibility. USA Today. Retrieved February 22, 2002, from <http://www.usatoday.com/educate2/ednews3>.
- Christensen, J. C., & Fessler, R. (1992). The Teacher Career Cycle. Understanding and Guiding the Professional Development of Teachers. Boston, MA: Simon and Schuster.
- Coleman, G. (2001). Issues in Education, View from the Other Side of the Room. Westport, CT: Bergin and Garvey.
- Coleman, J. S. (1961). The Adolescent society. The social life of the teenager and its impact on education. New York: Free Press of Glencoe.
- Creswell, J. W. (1998). Qualitative Inquiry and Research Design. London: Sage Publications.

Cusick, P. A. (1983). The egalitarian ideal and the American high school: studies of three schools. New York: Longman.

Denzin, N. K., & Lincoln, Y. S. (Eds.) (1998). The Landscape of Qualitative Research. London: Sage Publications.

Dewey, J. (1997). Democracy and Education. New York: Simon & Schuster Inc.

Drake, A. (1999). Zero tolerance execution problems within the state of Tennessee public schools. Unpublished doctoral dissertation, Tennessee State University.

Durkheim, E. (1961). Moral Education. New York: The Free Press.

Durkin, M. (1987). Teacher's sex. International encyclopedia of teaching and teacher education. Oxford: Pergamon Press.

Easternbrook, M. (1999). Taking Aim at Violence. Psychology Today, 32, 53-56.

Edwards, N. & Richey, H. G. (1963). The School in American Social Order. (Rev. ed.). Boston, MA: Houghton Mifflin Company.

Fraenkel, J. R. & Wallen, N. E. (2000). How to Design and Evaluate Research in Education. Boston, MA: McGraw-Hill Companies.

Gatto, J. T. (2000). The Underground History of American Education. New York: The Oxford Village Press. Grant, G. (1989). The World We Created At Hamilton High. Cambridge: Harvard University Press.

Grogan, M. (1994). Grappling with Zero Tolerance Issues. Unpublished doctoral dissertation, University of Virginia, Charlottesville.

Henault, C. (2001). Zero Tolerance in Schools. Journal of Law and Education, 30, 547-553.

Huberman, A.M. & Miles, M.B. (1985). Assessing local causality in qualitative research. In D.N. Berg, & K.K. Smith (Eds.), Clinical methods for social research (pp. 351-381). Beverly Hills, CA: Sage Publications.

Hyman, I. A. & Perone, D. (1998). The other side of school violence: educator policies and practices that may contribute to student misbehavior. Journal of School Psychology, 30, 7-21.

Johnson, D. T. (2001). A comparative study of four school districts in the state of Florida. The impact of zero tolerance policies on student offending and administrative approaches for maintaining school discipline. Unpublished doctoral dissertation, University of Central Florida.

Kaeser, S. (1979). Suspension in school discipline. Education and Urban Society, 11, 465-484.

Lininger, C. A. & Warwick, D. P. (1975). The Sample Survey: Theory and Practice. New York: McGraw-Hill.

Lipsky, M. (1980). Street-Level Bureaucracy: Dilemmas of the Individual in Public Services. New York: Russell Sage Foundation.

Lundell, K. T. (1982). Levels of School Discipline: A Complete System for Behavior Management in the Schools. Springfield, IL: Charles C Thomas Publishing.

Mack, M. P. (1962). Jeremy Bentham: An Odyssey of Ideas 1748-1792. London: Heinemann Publications.

Newman, G. (1978). The Punishment Response. Philadelphia: JB Lippincott.

Peterson, R. & Skiba, R. (1999). The Dark Side of Zero Tolerance. Phi Delta Kappan, 80, 372-376.

Pipho, C. (1998). Living with Zero Tolerance. Phi Delta Kappan, 79, (10), 725-727.

Primoratz, I. (undated). Punishment as Language. The Royal Institute of Philosophy. Retrieved February 24, 2003, from royalinstitutephilosophy.org.

Richardson, V. (2002, May 13). Zero Tolerance = Zero Sense. The Washington Times. Retrieved February 23, 2003, from <http://www.allsafedfese.com/news/Extremes/Zero%20Tolerance.htm>.

Robinson, V. M. J. & Timperley, H. (1998). Collegiality in Schools: Its Nature and Implications for Problem Solving. Educational Administration Quarterly, 34, 608-629.

Rothstein, S. W. (1984). The Power to Punish: A Social Inquiry into Coercion and Control in Urban Schools. Lanham: University of America Press.

Rubin, H.J., & Rubin I. S. (1995). Qualitative interviewing; The art of hearing data. London: Sage Publications.

Shouse, R. (1998). Restructuring's Impact on Student Achievement: Contrasts by School Urbanicity. Educational Administration Quarterly, 34, 677-699.

Skiba, R. J. (2000). Zero Tolerance, Zero Evidence. An Analysis of School Disciplinary Practice. Unpublished Policy Research Report #SRS2, Indiana Educational Policy Center, Indiana.

Stephen, J.F. (1863). A General View of the Criminal Laws of England. London: Macmillan.

Walsh, M. (2002). Supreme Court declines to accept zero tolerance case. Education Week, 21(20), 24.

Wittrock, M. C. (Ed.) (1986). Handbook of Teaching Research on Teaching. (Rev. ed.). New York: Macmillan Publishing Company.

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