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Publication Date

2020

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Towards the Adoption and Implementation of Positive School Discipline
Policies: Lifting Lessons from Across Fields

By

Laura Eugenia Pulido

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

Education

in the

Graduate Division

of the

University of California, Berkeley

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Professor Bruce Fuller, Chair

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Spring 2020

ABSTRACT

Towards the Adoption and Implementation of Positive School Discipline Policies: Lifting
Lessons from Across Fields

By

Laura Eugenia Pulido

Doctor of Philosophy in Education

University of California, Berkeley

Professor Bruce Fuller, Chair

Situated at the intersection of federal, state, and local regulation, K–12 school discipline policy unfolds across vast and differing fields (e.g., federal, state, local; education and law; politics and education) and amongst competing actors and interests (e.g., state and local policy makers, teachers and administrators, unions, parents and students, advocates, researchers, law enforcement, social services). Indeed, the field of school discipline policy and reform can be characterized as one of struggle and stasis. Research on school discipline has provided insight into the policies and practices that have come to replace zero tolerance or punitive school discipline in K–12 schools. A major theme in the literature is the pronounced racial, ethnic, and gender “discipline gaps” that emerge as early as pre-K and persist, despite targeted reform interventions (Gilliam, 2005; Losen, Keith, Morrison & Belway, 2015). Research has likewise surveyed the effects of emerging alternative strategies broadly recognized as supportive or positive school discipline interventions. Scholars confirm that school discipline policies and practices continue to yield the same punitive and deleterious results absent the effort of local and state actors to do so (Noguera, 2003). Yet, little is known about the local change process or *shift* from punitive to positive school discipline reform from the vantage point of local actors within their local educational institutions. Indeed, the literature has failed to explain the problem with school discipline in its “broader structural context, [and has failed] to specify the processes and the subjectivities that mediate between structural and legal forces and the behavior of school actors” (Hirschfield, 2008).

This dissertation modeled the application of policy process theories in ways that clarified and lent order to the two most visible, clear cut turns in the field of school discipline in California: the turn towards punitive or criminalized zero tolerance school discipline policy and the shift towards positive, liberalized, or decriminalized alternatives. It explored the perceptions and strategic actions related to the rushed adoption and implementation of positive school discipline by superintendents, district leaders, school administrators, and teachers in California’s Central Valley. It focused on understanding the local shift from punitive to positive school discipline, which included the local and regional adoption of non-punitive alternative means of pupil correction and the implementation of a California law that banned suspensions and expulsions for willful defiance from the perspective of local school actors. Ultimately, this

dissertation explored the liberalized positive school discipline reform “shock” to the punitive system and how local institutions and actors transmuted that central shock on the ground. While some local actors sought to improve relationships with and among students, others focused on bureaucratic, routinized remedies and legal compliance with the law. Mechanisms of punitive and positive school discipline were inadvertently blended, creating a hybrid “school-discipline new-normal” that relied heavily on taken-for-granted criminal justice ethos and rhetoric of law and order.

Dedication

For Winton, California

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Acknowledgements

“Y miré la noche y ya no era oscura, era de lentejuelas”- Gloria Trevi

Very special regards to my advisor and the chair of this dissertation, Dr. Bruce Fuller. Thank you for making my transition to Berkeley a smooth one and for providing an intellectual home in your policy and organization courses. It has been a privilege to study and tackle “slippery theoretical and empirical issues” with you (and your students). While I knew that walking precincts in Reno could help decide the fate of a presidential reelection, I never imagined that it would launch me into a lengthy, rigorous, and disciplined course of study: obtaining a PhD from UC Berkeley. Thank you for seeing my felt experience in legislative politics as relevant to my course of study and for validating that. Thank you for encouraging me to “keep the mo” when I most needed it. I am grateful for your help and kindness and indebted to you for sparking this grand idea.

I would like to express my deepest gratitude and respect to a phenomenal professor who changed my life: Dr. Cristina Mora. This accomplishment would not have been possible but for your guidance *and example*. Your wisdom gave me the courage I needed to see this through. Thank you for bringing immense clarity into this process. Despite how stretched you were, you took the time to guide my studies and my person. For that, I am ever grateful. To the brilliant Dr. Kris D.Gutiérrez: it was an honor to meet you! Thank you for showing up so authentically in life, at Cal, and for making and holding space for me (us). Your tenacity and grace are unparalleled and a constant source of inspiration in my life -- *a reminder not to concede any space*.

Thank you Lupe Gallegos, for making the stars align on this one.

I need to thank Dr. Tina Trujillo for unbeknowningly assigning a course paper that I would return to every time I felt like walking away. I must have read that paper at least fifty times. Your disciplined inquiry course and this thoughtful assignment proved *transformative* in my journey.

I would be remiss if I did not acknowledge the consejos and support that I received from two Latina PhD’s -- Dr. Veronica Orozco and Dr. Laura Ortiz Guillen, my therapists. Thank you for welcoming me into your practice. You two are an open secret in the graduate school arena, *un secreto a voces*.

Thank you to Linda Louie, Linda von Hoene and Sabrina Sorraco from the Graduate Division. Thank you to my colleagues, the professional development liaisons at GradPro, especially Arathi Govind and Maelia DuBois for the fall mornings spent reading and commenting on work.

I would also like to acknowledge my cohort, who sailed the Berkeley waters with me: Anita Quintana, Christina Warren, Elizabeth Zumpe, Feroze Munshi, Joanne Tien, and Mahasan Chaney.

Much gratitude and thanks to peers who went the extra mile at various points in this process. Thank you for being so caring: Laura Tobben, Elizabeth Flores, Dinorah Sánchez Loza, Martha

Mendoza, Diana Casanova, René Kissell, Damien Mason, Jung Kim, José Ramón Lizárraga, and Arturo Cortez.

I am forever indebted to the institutions and organizations (and their myriad actors) that shaped me: The Chicana Latina Foundation, the National Hispana Leadership Institute, the old Student Programs and Activities Center at UC Davis, various outreach programs leading up to my college admission, such as the California Student Opportunity and Access Program (Cal-SOAP). La Raza Pre-Law, the Associated Students of the University of California, Davis, the Jesse M. Unruh Capital Fellows Program, and the Honey Badgers (an institution if I ever knew one - William Kim, Maddie Flood, Cecilia Tran). Thank you to Team Lara: Ricardo Lara, Erica Contreras and Catalina-Hayes Bautista for equipping me with a policy tool belt like no other. And for teaching me how to write!

Much gratitude and respect to the mujeres of the Latinas Completing Doctoral Degrees online community: you are a force! Que rebeldía la nuestra.

It is true that behind every successful woman there is a group chat hyping her up. To my crew -- Mo, Joel, Mayra, Adalberto, Lauryn, and Gretel. Also, Fernando and Liz. Thank you for being there.

I want to recognize and thank my family members who sat in the pouring rain during my Latino graduation. You are awesome! That was so intense!

To my younger cousins, the pressure to finish this degree was amplified by your curious and *judgmental* faces when you asked, “Laurita, what do you study?” “Laurita, when are you going to finish school?” “Laurita are you, like, in the 26th grade?” I did this for you. My dream is that you will accomplish any personal or professional goal that you set out for yourself, and that it will come easier for you, than it did for me. May you seek knowledge in ways that fulfill you and make you happy.

I want to thank my maternal grandmother, doña Angelina Lopez “gramaaa” for the gift of Spanish literacy and for blessing me with endless litanies and prayers. Quiero agradecer a mi abuela materna, doña Angelina López "gramaaa" por enseñarme a leer y a escribir en Español y por bendecirme con sus oraciones.

Le agradezco a mi Dios por nunca abandonarme y a La Virgen de Guadalupe por socorrerme.

A heartfelt thank you to my parents, who have given me everything in life. Gracias a mis padres, Hector Gerardo Pulido y Laura Pulido Lopez, por nunca soltarme. Sin ustedes yo no puedo. Este logro solo refleja su esfuerzo y su trabajo. El apoyo, amor, y valor que me han dado siempre ha sido un constante en mi vida. Lo reconozco y lo agradezco. Thank you dad, for your immeasurable sacrifice throughout this journey. Thank you mom, for lifting my burdens and coaching me through every step along the way. Your love carries me. Thank you both for instilling in me the liberatory power of an education. I will never grow tired of hearing your encouraging, “*hechale conejo!*” Espero poder disfrutar de esto con ustedes por muchos, muchos años.

I want to thank the person who has always pushed and encouraged me to reach for more, my husband Renzo. I want to thank you for your unconditional support and encouragement throughout these years. I am particularly grateful for your love and support through my qualifying exams. Thank you for always believing in me. Though you once likened the PhD experience to a long rabbit hole, I can now assure you that chasing knowledge (the white rabbit) and this dream down the rabbit hole *was worth it*. Through this experience, I have tested the limits of my own reality, and have constructed a wonderland that until now only existed in our dreams. I can't wait to see what the future has in store for us! Thank you for your partnership. Thank you for always ensuring my workspace had good lighting and for holding me steady when things went south (as they tend to do in graduate school). I will never forget the sparkle in your eye the day of my graduation! We did it!

Lastly, I have to acknowledge my co-author, Toby (the lawyer dog) for toughing this out with me. Thank you for your companionship, little guy.

Chapter 1: Introduction and Overview of Chapters

“Why are California schools suspending more students than they graduate?” (Fix School Discipline, 2012). In a remarkable moment for K-12 public education, powerful policy advocates, organizers and policy makers came together to consider this pressing question. In decades past, California lawmakers constructed a robust system of punitive K–12 school discipline policies with the goal of ensuring safe and orderly school environments (Manay, 2009). However, research demonstrating racially disproportionate outcomes, lost instructional time, heightened dropout rates and diminished educational opportunities linked to suspensions and expulsions helped elucidate that punitive school discipline policies were not working (Losen & Whitaker, 2017; Noguera, 2003; Skiba, Arredondo & Williams, 2014). Illustrating the magnitude of the school discipline problem, researchers from the Civil Rights Project at UCLA warned that over 400,000 students in California had received an out-of-school suspension in 2009-2010 — enough to occupy every seat in every professional baseball and football stadium in the state of California, combined (Losen, Martinez & Gillespie, 2012).¹

Efforts to “fix” school discipline emerged locally and statewide, garnering momentum for positive school discipline alternatives at both levels (Davis, 2013; Fix School Discipline, 2012; Gonzalez, 2016). Indeed, a coalition of governmental and nongovernmental allies emerged, from California’s Supreme Court Chief Justice who warned the state legislature on the dangers of keeping students out of school, to the Police Officers Research Association of California (PORAC) who co-sponsored legislation, to youth and activists who gathered signatures, rallied and pushed for the passage of local resolutions (CADRE, n.d.; Fix School Discipline, 2012). On the ground, parents and families confronted district and municipal policies related to the suspension offense category of willful defiance, school truancy, and daytime curfew laws that had resulted in citations and fines for families (Jennings, 2012; Rott, 2013). In a successful push by local actors and advocacy coalitions, the Los Angeles Unified School District (LAUSD) became the first school district in the nation to eliminate the suspension offense category of *willful defiance* and became one of the first to implement alternative disciplinary methods (Chapa, 2017; Rott, 2013). These and other local efforts bubbled up to the state legislature where policymakers considered several bills related to the relaxation of punitive zero tolerance school discipline policy in K–12 education. Advocates of positive school discipline reform held that “until there [was] educational reform *statewide*, disproportionate discipline [would] affect the most vulnerable student populations” (Benigno, 2013). Although statewide legislation was eventually passed and hailed as a victory for K–12 public education in California, the hard work of local policy implementation was only beginning.

This dissertation applies theoretical perspectives of organizational change and behavior to a qualitative regional case study of positive school discipline reform. It illuminates the complexity of implementing a liberalized central state school discipline policy across

¹ In the same year, the California Department of Education reported over 750,000 total suspensions. The figure indicates some students were suspended more than once.

multi-layered institutions and actors. This dissertation begins with a policy history of school discipline reform in California and then explores the local and regionally-driven adoption and implementation of that reform. It illustrates how positive school discipline reform interventions were taken up at the state level, and how they came to be locally defined, adapted, and institutionalized within districts and schools in California's Central Valley. Ultimately, this dissertation explores the liberalized positive school discipline reform "shock" to the punitive system and how local institutions and actors transmuted that central shock on the ground.

School discipline research has explored the unintended effects of *zero tolerance* or punitive school discipline in K–12 public schools. Research has likewise explored the policies and practices that have come to replace punitive school discipline and are broadly recognized as supportive or positive school discipline interventions. An outstanding quandary in the school discipline literature resides in the persistently high rates of school discipline (e.g., suspensions, detentions, and expulsions) and the pronounced racial, ethnic, disability, and gender discipline gaps that emerge as early as pre-K and persist, despite targeted reform interventions (Gilliam, 2005; Losen, Keith, Morrison & Belway, 2015). Scholars explain that school discipline policies and practices continue to yield the same punitive and deleterious results absent the effort of local and state actors to do so (Noguera, 2003). Scholars confirm the continued accrual of lost instructional time in California as a result of punitive school discipline policies and practices (Losen & Whitaker, 2017). Moreover, scholars posit that while local educational institutions are charged with preparing students for their adult roles, they "generally reflect many of the characteristics of the society where they are located" *including* the way its subjects are disciplined (Noguera, 2003, p. 343). Despite state efforts to reform school discipline, little is known about the local change process or *shift* from punitive to positive school discipline from an individual and organizational perspective. This dissertation explores that shift and how it unfolds across districts located in California's Central Valley and schools within those districts.

This dissertation begins with a policy history of the state-level shift from punitive to positive school discipline in California using archival legislative methods. Through an analysis of semi-structured interviews, this dissertation explores the sense-making process undergirding 25 school district superintendents' and district leaders' perceptions and actions related to the local adoption of liberalized central state school discipline policy across 14 school districts. Through a cross case-comparison of high-and low-fidelity implementation, this dissertation explores how positive school discipline was defined, adapted and institutionalized across two schools using the perspective of 26 school-level actors, classroom and school-wide observations. Specifically, this dissertation asks:

- How did positive school discipline policy emerge and evolve onto California's public policy agenda?
- How was liberalized central-state positive school discipline policy defined, adapted, interpreted, and institutionalized by local actors across districts and schools in California's Central Valley?

In 2012, California Assembly Bill 1729 (AB 1729) formally authorized and encouraged school district superintendents and principals to use age appropriate alternatives to suspensions or expulsions that were designed to correct student misbehavior and preserve instructional time (Pupil rights, 2012). At the same time, the state made findings and declarations of legislative intent, establishing that:

The public policy of this state is to ensure that school discipline policies support safe, positive, supportive, and equitable school environments...[that California] school suspensions and expulsions are disproportionately imposed on pupils of color, pupils with disabilities, lesbian, gay, bisexual and transgender pupils, and other vulnerable pupil populations...[and] that nonpunitive classroom discipline and in-school discipline strategies are more effective and efficient for addressing the majority of pupil misconduct (Pupil rights, 2012, §1).

Proponents of AB 1729 hailed the measure as a victory and believed that nonpunitive disciplinary alternatives would begin to close the school discipline gap and safeguard the civil rights of students who were disproportionately suspended and expelled.² Nevertheless, AB 1729 reaffirmed the discretion of local superintendents and principals in making decisions regarding the implementation of those alternatives.³

In 2012–2013, California’s public schools reported 329,370 suspensions and 8,266 expulsions (Data Quest, n.d.). By 2013–2014, with the introduction of reforms and a growing state and national awareness regarding school discipline policies, total suspensions in California dropped by 15.2% and expulsions by 20% with the smallest percentage of change reported in the racial and ethnic categories of *African American*, *Not Hispanic* and *Hispanic or Latino of Any Race*. Yet, data for the 2013–2014 school year revealed that the percentage of total statewide suspensions increased by 0.2% among African American students and by 0.1% among Hispanic or Latino students and decreased by 0.3% for White students, respectively (California Department of Education, n.d.). Furthermore, while African-American students comprised only 6.2% of total student enrollment in California, they represented a disproportionate 16.4% of suspensions; Hispanic or Latino students comprised 53.4% of total student enrollment and represented 54.7% of suspensions, a number that also exceeded cumulative enrollment. White students, on the other hand, comprised 25% of total student enrollment in California and represented 20.6% of total suspensions— less than their cumulative enrollment. Despite the overall drop in suspensions statewide, the gap between disciplined students of color and White students persisted. Research has confirmed that racial school discipline “[disparities] are not

² Whitaker & Losen (2017) found that, “despite a recent decline in the use of suspension in California schools, many students are still losing a great deal of instruction time due to school discipline”(p. i). They estimated that a total of 840,000 days of instruction were lost to school discipline in 2014-2015.

³ A more expansive bill, Senate Bill 1235, would have required rather than *encouraged* schools to address their high rates of suspensions (Pupils: suspension, 2012). Senate Bill 1235, introduced by Senate President Pro Tem Darrell Steinberg and ultimately vetoed by Governor Brown, would have also required the Superintendent of Public Education to publish a list of schools with high suspension rates and strategies to address them.

explained by more frequent [nor] more serious misbehavior by students of color” (U.S. Department of Justice Civil Rights Division and U.S. Department of Education Office of Civil Rights, 2014).

With the launch of the California Longitudinal Pupil Achievement Data System (CALPADS) “willful defiance became identified with the problem of high rates of expulsions and suspensions after the CDE [California Department of Education] affirmed that a high number of minority students were suspended for this cause” (California Department of Education, 2015). In California, 43% of all suspensions in 2012–2013 were issued for willful defiance, and most willful defiance suspensions were assigned to students of color. The numbers were irrefutable and supported the narratives that local stakeholders, youth, and families had voiced for many years (Chapa, 2017). Data on school discipline outcomes—disaggregated by race and ethnicity—helped support the passage of California Legislative Assembly Bill 420 (AB 420), which limited suspensions and expulsions for *willful defiance* in grades K–3 and K–12, respectively (Pupil discipline, 2014).

The passage of AB 420 came as a shock and disruption to longstanding and state-sanctioned punitive school discipline policies and practices. Although the more liberalized provisions of AB 420 were scaled back through the policy formulation process, debates erupted over what the reform would look like and who it would benefit or affect. “When we’re talking about civil rights, are we talking about the civil rights of the student acting out, or are we talking about the civil rights of the kids in the classroom who want to learn?” questioned a member of the Association of California School Administrators (ACSA) (White, 2014). The belief that misbehaving students would “take education away” from other students in the classroom was common among those who opposed AB 420. Some raised concerns over the top-down implementation of this reform arguing that, “it’s willful defiance today, it might be something else tomorrow – but we’ve done nothing to help people dealing with students deal with them differently” (White, 2014). Indeed, between 2012–2013 and 2015–16 the suspension rate in California dropped from 5.2% to 3.7% however, the racial disproportionality between suspended and expelled students of color and White students persisted (California Department of Education, n.d.).

Preliminary opposition to the school discipline reforms stemmed from the belief that, “the bills would place too much of a burden on administrators and teachers in [an] era of budget cutbacks. [In fact, administrators] urged funding for more training in alternative disciplinary measures, rather than forcing top-down change through the education code” (Frey, 2012). Furthermore, it was unclear what district- and school-level capacity, values, and skills were needed to “build and sustain fair, equitable and nurturing school discipline” (Frampton, Perlstein, Koon, & Pulido, 2015, p. 1). An earlier and more expansive version of the willful defiance bill sought to ban suspensions and expulsions across *all* grades. That bill, Assembly Bill 2242, was opposed by lobbyists of the ACSA on the belief that, while willful defiance was overused, “it [was] not a good idea to take the ability of administrators to remove disruptive students before the principals and vice principals [were] trained in alternative approaches” (Frey, 2012).⁴ Instead

⁴ Assembly Bill 2242 was vetoed.

of fully committing to school discipline reform, the state of California initially passed only permissive legislation that *encouraged* nonpunitive alternatives. While AB 1729 authorized and encouraged the use of positive school discipline alternatives and AB 420 eventually banned suspensions and expulsions for willful defiance in certain grades, it was unclear how local norms and culture would shift from punitive to positive across districts and schools. Uncertainties around implementation prevailed, given that school-level staff were on the front lines of the reform and there had been no uniform or mandatory training regarding nonpunitive alternatives.

By 2014, California stood as a national leader in the shift from punitive to positive school discipline with the passage of AB 420. The American Civil Liberties Union, a co-sponsor of the bill, cited the measure as “an important first step toward keeping kids in school by limiting harsh, exclusionary discipline practices, which disproportionately affect students of color, [lesbian, gay, bisexual, transgender and queer]” students and students with disabilities” (ACLU, 2015).⁵ And yet, the shift from punitive to positive school discipline would have to unfold locally, through day-to-day interactions between students, teachers, and staff. The tensions that emerged during the policy formulation process would simply have to play out through the local process of policy implementation. How would positive school discipline reforms fare in the highest suspending areas of California, where the greatest individual and organizational change would be required?

Data released by the Office of Civil Rights revealed that California’s Central Valley contained some of the highest rates of school discipline and disproportionality in the state. Analysis of the data revealed that in 2013–2014, the County Office of Education with the highest rate out of school suspension (OSS) rate was located in Merced County, with a rate of 88.6 suspensions per 100 students (Losen, Keith, Hodson, Martinez, & Belway, 2015). The fourth highest OSS rate in a County Office of Education was found in Fresno County, at a rate of 54.0 suspensions per 100 students. With regards to racial disproportionality, Dos Palos Oro Loma Joint Unified District in a district in Merced County had the highest suspension rates for Black students in California, at a rate of 74 per 100 enrolled students (Losen et al., 2015). Moreover, Kern County reported suspension rates at four times the state average and expulsion rates over seven times the national average (Ferris, 2012). Relatedly, a health advisory in 2013 reported that one Central Valley city contained the highest rates of *disconnected youth* in California — those young adults not working or in school (KidsData Advisory, 2013). In hypothesizing about these numbers and the region’s palpable culture of corrections and control, it is important to recognize that the Central Valley is the home of California’s greatest prison expansion project to date. Scholars note that prison populations have at times exceeded the number of free residents—those not incarcerated—in some Central Valley cities (Gilmore & Gilmore, 2003). The fourth chapter of this dissertation explores that local dynamic.

In two years, the region’s districts and schools were rapidly forced to adopt and formalize positive school discipline interventions. Targeted funding from the state’s Local Control Funding Formula (LCFF) and positive school discipline school climate grants from private foundations created a major opportunity to finance school discipline reform in the Central Valley. For instance, according to interviews with district superintendents in the region, the LCFF “provided

⁵ ACLU, Children Now, Fight Crime: Invest in Kids, Public Counsel, co-sponsored Assembly Bill 420.

for permanent budget adjustments that allowed school district administrators to hire additional school psychologists, behavioral health professionals, big sisters and big brothers, and veteran teacher coaches, as well as pay for release time for teacher collaboration” (Frampton et. al, 2015, p. 5). Furthermore, one private health foundation invested heavily in targeted positive school discipline intervention to create a “movement” toward positive school discipline in the Central Valley. This effort included the creation of a positive school discipline professional learning community and the funding of positive school discipline culture and climate grants. Coupled with the passage of statewide positive school discipline legislation, suspension and expulsion rates in the Central Valley experienced rapid initial declines.

Indeed, alternatives such as Positive Behavior Intervention and Supports (PBIS) and Restorative Justice (RJ) were widely adopted and implemented, across various Central Valley district and school organizations. The rushed mandate and targeted interventions created major destabilizing effects, which left local actors reaching for routinized models and “plug-and-play” approaches to implement on the ground. While some local actors sought to improve relationships with and among students, others focused on bureaucratic, routinized remedies and legal compliance to the law. Mechanisms of punitive and positive school discipline were inadvertently blended, creating a hybrid “school-discipline new-normal” that relied heavily on taken-for-granted criminal justice ethos and rhetoric of law and order deeply ingrained within the community. In 2019, discipline rates for 13 of the 14 Central Valley districts in this study continued to be above the state average, with nine of the 14 keeping constant or increasing discipline rates over the past three years (California Department of Education, 2017). For the foregoing reasons, my investigation focused on Central Valley districts and schools.

Overview of Chapters

In Chapter 2, I examine the problems, politics, and policies surrounding the emergence and evolution of positive school discipline reform onto California’s public policy agenda. Using Kingdon’s (1984) multiple streams theory, I provide an account of how the educational problem of punitive school discipline was defined across policy contexts and how skilled policy entrepreneurs matched existing and viable solutions to the problem. Indeed, beginning in the 1990s, California devised one of the most robust and punitive education codes in the nation (Manay, 2009). Negative consequences emerged as a result of punitive school discipline in K–12 education (Noguera, 2003). By 2014, California stood as a leader in positive school discipline reform. This chapter tells that story and recounts the nuanced process behind *positive school discipline reform*, “an idea whose time has come” (Kingdon, 1984, p. 1). It models the application of policy process theories in ways that clarify and lend order to the two most visible, clear cut turns in the field of school discipline in California: the turn towards punitive or criminalized zero tolerance school discipline policy and the shift towards positive, liberalized or decriminalized alternatives. First, I present the problem indicators that helped identify and define punitive school discipline as a social problem in the state of California. Then, I explore the role of powerful policy actors, advocates, and researchers in prying open a policy window that had been closed for many years. In doing so, I illustrate how the civil rights and racial disproportionality frames—set in motion by local actors, skilled policy entrepreneurs and statewide coalitions—were the primary drivers behind the reforms.

In Chapter 3, I explore the perceptions and strategic actions related to the adoption and implementation of positive school discipline by district leaders throughout California's Central Valley. Using sensemaking (Weick, 2003; Weick, Sutcliffe, & Obstfeld, 2005) and field theory (Fligstein & McAdam, 2012), this study analyzes the local shift from punitive to positive school discipline from the vantage point of superintendents and district leaders. The shift included the adoption of nonpunitive "alternative means of pupil correction" (Pupil rights, 2012) and the implementation of a California law that banned suspensions and expulsions for willful defiance. While the pressure to reform K–12 school discipline was not felt exclusively by administrators in school districts throughout the Central Valley, it was experienced as a more forceful imposition given that some of the highest rates of suspension and expulsion were contained in this region. This context—along with targeted funding and positive school discipline intervention—made California's Central Valley an ideal site to study the implementation of statewide positive school discipline reform. This chapter analyzes interviews with 25 district leaders across 14 Central Valley school districts with medium to high rates of suspension. At the time that this study was conducted, 13 of the 14 participating school districts had suspension rates well above California's state average, though suspension rates experienced rapid initial declines. This chapter finds that district leaders confronted major pressures to reform school discipline locally. Along with the pressure to reform, Central Valley school districts encountered a rushed opportunity to implement positive school discipline through funding from Local Control Funding Formula (LCFF) and targeted funding intervention from a private foundation coupled with local discretion to address school discipline through the Local Control and Accountability Plan (LCAP). Uncertain of how to adopt and implement positive school discipline alternatives, administrators combined old and new logics—articulating and blending punitive and positive approaches—ultimately, devising novel ways to comply with the reforms.

In Chapter 4, I present a cross-case comparison of two California Central Valley schools that adopted and implemented positive school discipline policies and practices. This chapter focused on understanding the localized shift from punitive to positive school discipline from the vantage point of its closest actors, including their varied definitions of the modes and mechanisms of positive school discipline. Using sensemaking theory (Weick, 2003; Weick, Sutcliffe, & Obstfeld, 2005), this study provides insight into the local perceptions and actions that led to high and low fidelity of Positive Behavior Intervention and Supports (PBIS) and Restorative Justice (RJ) implementation. The analysis includes how positive school discipline was defined, adapted and institutionalized locally. This chapter analyzed interviews with 26 school-level actors, full-day school-wide observations, classroom observations, passing period observations, and publicly available school discipline data. This study found differences in the school discipline models and mechanisms as articulated between school administrators and teachers. In the school with a multi-layered, high fidelity of implementation it found a thoughtful approach rooted in administrators desire to "get to the root of" student misbehavior. School actors at that high school held capacity-oriented beliefs towards students and articulated student and community constraints through a frame of resilience. That school relied on well-integrated mechanisms of the positive school discipline intervention, including a "think-lab" where students and teachers could participate in conflict resolution mediations, and student participation in disciplinary proceedings. In the school with low fidelity of implementation, the study found a hybrid punitive and positive approach rooted in the bureaucratic desire to comply with state law.

That middle school relied heavily on law enforcement and structural forms of exclusion, including modified student schedules and alternative school placement to deal with student misbehavior. School actors at that school held deficit-oriented beliefs toward students and articulated student and community constraints through a frame of criminality. The rhetoric of law and order and prison terminology abounded in those interviews. This study revealed that both schools had a permeable culture, punctured by the most prominent industries and institutions surrounding the schools: prisons and agriculture. To varying degrees, the study found a general acceptance of school partnerships with law enforcement.

Chapter 2: A Multiple-streams Analysis of Positive School Discipline Reform in California: The Problems, Policies, and Politics

In 2014, Governor Jerry Brown signed into law the most significant departure from punitive public K–12 school discipline in the state of California. Assembly Bill 420 (AB 420) banned the use of suspensions and expulsions for *willful defiance* in grades K–3 and K–12, respectively.¹ California was the first state to implement this landmark reform which came as a shock and disruption to longstanding, state-sanctioned punitive school discipline. Indeed, the passage of AB 420 contributed to an initial statewide reduction in the rate of suspensions from 5.2% (2012–2013) to 3.7% (2015–2016) and expulsions from 0.13% (2012–2013) to 0.09% (2015–2016) (Data Quest, n.d.).² Using Kingdon’s (1984) multiple-streams framework of analysis, this chapter tells that story and recounts the nuanced process behind positive school discipline reform, “an idea whose time has come” (Kingdon, 1984, p. 1).

Situated at the intersection of federal, state, and local regulation, K–12 school discipline policy unfolds across vast and differing fields (e.g., federal, state, local; education and law; politics and education) and amongst competing actors and interests (e.g., state and local policymakers, teachers and administrators, unions, parents and students, advocates, researchers, law enforcement, social services). Indeed, the field of school discipline policy and reform can be characterized as one of struggle and stasis. When applied to the case of positive school discipline reform in California, the multiple-streams framework contributes to an understanding of policy process research in education (Weible & Cairney, 2018). To this end, this chapter models the application of policy process theories in ways that clarify and lend order to the two most visible, clear cut turns in the field of school discipline: the turn toward punitive or criminalized *zero tolerance* school discipline policy and the shift toward positive, liberalized, or decriminalized “alternatives.” This chapter examines the problems, politics, and policies surrounding the emergence and evolution of positive school discipline reform onto California’s public policy agenda. It provides an account of how an educational problem was defined across policy contexts and how skilled policy entrepreneurs matched existing and viable solutions to the school discipline problem.

Specifically, this chapter illustrates how civil rights and racial disproportionality frames—set in motion by local actors, state and national coalitions—were the primary drivers of the reforms. In this policy history, I provide an overview of California’s former or *incumbent* school discipline policy and present the leading problem indicators that helped identify zero tolerance or *punitive* school discipline policy as a problem. Then, I review the wave of policy and politics that followed the state’s recognition of the school discipline problem. In doing so, I explore the role of policy actors, advocates, researchers, and policymakers in prying open a policy window that had been closed for many years. As a result, this chapter extends knowledge on the policymaking process in education, provides a theoretically grounded background for

¹ Assembly Bill 420 was co-sponsored by ACLU, Public Counsel, Children Now, Fight Crime Invest in Kids, and the ACLU of California

² Racial disparities in school discipline persisted; the percentage of African American or Black and Hispanic or Latino students suspended continuously exceeded their percentage of cumulative enrollment.

local actors, while also illuminating the role of the media in framing and lifting educational issues onto the public policy agenda. This chapter demonstrates how, in some ways, policy preferences remain incomplete, with solutions offered to the legislature and unclear technologies across various jurisdictional boundaries.

The questions guiding this chapter are:

RQ 1. Why did policy makers and activists come to embrace positive school discipline reform?

RQ 2. How did positive school discipline reform emerge and evolve onto California's public policy agenda?

California's Incumbent, Zero Tolerance School Discipline Policy in Federal Context

President Clinton signed the Gun-Free Schools Act of 1994 (hereafter "Act") amidst heightened national concern over school discipline and violence. A bipartisan measure, the Act required states to enact school discipline policies that would expel any student found in possession of a firearm on school grounds for a minimum of one year. The Act also required school administrators to refer students who were found in violation of the law to the criminal or juvenile justice system on a case-by-case basis and required states to adopt gun-free school legislation as a precondition to obtaining federal school funding (Manay, 2009). While the Act created a standard for how states should regulate education policy change at the state and local level, it did not prohibit or dissuade states from enacting stricter policies so long as they satisfied the minimum federally required mandate. Like many other states, California reached beyond the federal mandate creating a robust and extensive list of student misbehaviors that could merit suspensions and expulsions. As a result, zero tolerance policies became the normative way to control real or perceived gun and drug related violence to improve school safety.

Since the inception of tough-on-crime zero tolerance school discipline policies, California has struggled to balance the legislative intent of improving school safety with the growing use of exclusionary discipline. To comply with the federal mandate, California required districts to expel any student found in possession of a firearm on school grounds. California amended the education code to recommend any student for expulsion who was found in possession of a firearm, a knife or explosive, or who had sexually assaulted or battered another or sold illegal substances, on a case-by-case basis (Manay, 2009). Over the years, however, a number of school discipline related bills significantly and punitively expanded the list of punishable school-based misbehaviors.

Senate Bill 966 (SB 966) authored by Assemblymember Patrick Johnston (D-San Joaquin County) strengthened zero tolerance expulsion policies in the state of California (Pupils, 1995). SB 966 also expanded the acts for which pupils would be mandatorily expelled from school (Pupils, 1995). The legislative intent of SB 966 was to send a tough-on-crime message across the schools that drugs and weapons would not be tolerated. At that time, the broader educational policy environment was focused on ensuring safe school environments by deterring violence through punitive policies that targeted major and minor student misbehavior (see Appendix A). As zero tolerance became more commonplace, "custodial informal norms for

controlling students became the criteria for judging ‘effective’ teaching in some schools” (DiPaola & Hoy, 2013, p. 62). In other words, effective control became synonymous with effective teaching because a greater emphasis was placed on securing a compliant student body. Nevertheless, zero tolerance policies became a source of consternation given their negative effects on the educational attainment of students (American Psychological Association, 2008).

Problem Indicators: High Discipline Rates and Disproportionality

California’s high rates of discipline and disproportionality demonstrated the need for statewide school discipline reform. In the 2011–2012 school year, California public schools reported a total of 709,702 suspensions of which 335,079 were issued for *defiance* (California Department of Education, n.d.). A total of 9,758 total expulsions were issued that school year. In disaggregating the data by race and ethnicity, the percentage of African American and Hispanic or Latino students suspended exceeded their percentage of cumulative enrollment (see Figure 1). Narratives about the achievement gap, civil rights, lost instructional time, the racial discipline gap, and the school-to-prison pipeline permeated the educational arena, wielded by policy entrepreneurs, which signaled the need for statewide reform (Civil Rights, 2013).

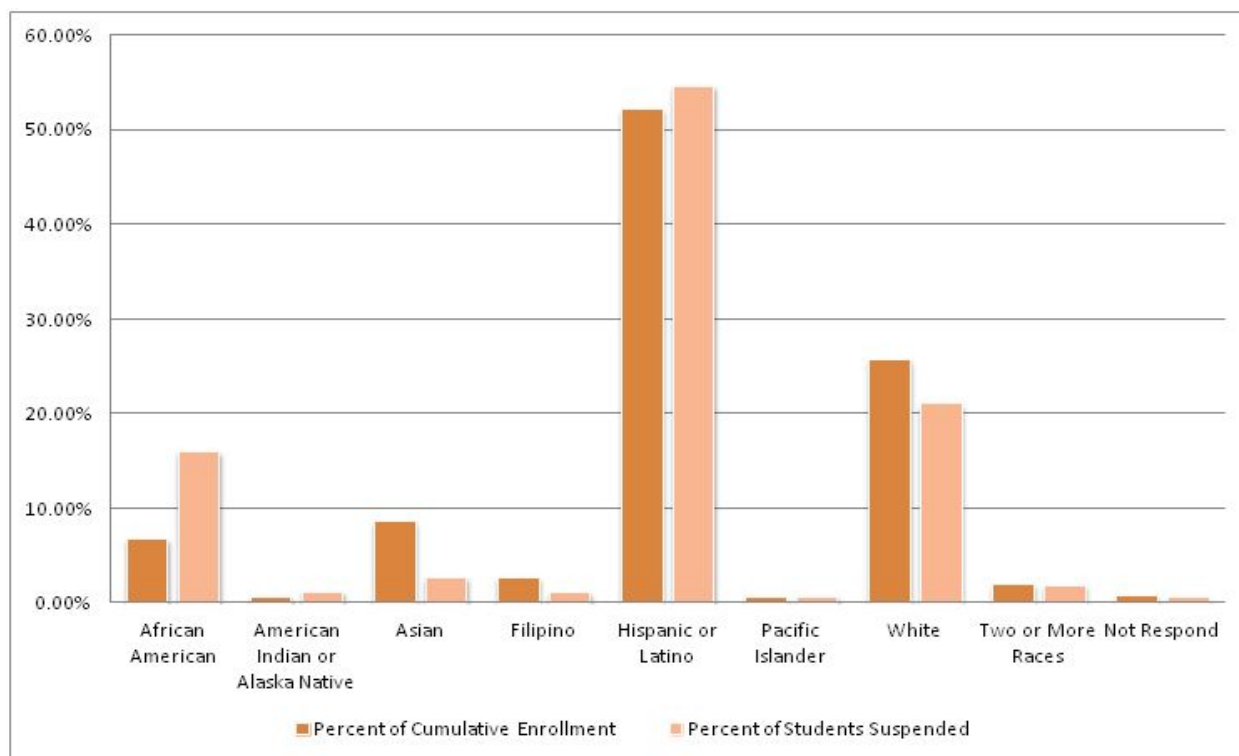


Figure 1. Cumulative Enrollment vs. Students Suspended. Reproduced from California Department of Education DataQuest.

A Tool for Understanding State-Level Policy Change

The multiple-streams framework (MSF) is useful for analyzing state-level policy change. The MSF recognizes the policymaking process as dynamic and irrational, where ambiguity is ubiquitous. The theory departs from traditional decision making theories that treat the process as

linear and rational. Because public policy formation is a complex process, it requires problem recognition, information gathering, and the formulation of solutions by various actors with different roles, resources, capacities, and interests. Until the multiple-streams framework emerged, traditional models for policy change assumed that actors were rational and that policy decisions were objectively made. Here, I draw on John Kingdon's (1984) MSF to explain how positive school discipline emerged and evolved in California by analyzing the problems, politics, and policies associated with positive school discipline reform legislation. In doing so, I show that the problems, solutions, and participants related to school discipline evolved simultaneously (though at different speeds) in their respective streams. Fitting the pieces of positive school discipline reform into this political framework is necessary as it sets the foundation for subsequent implementation studies of this K–12 education law.

The Multiple-Streams Framework

Kingdon's (1984) MSF comprises three streams—a problem stream, a policy stream, and a politics stream—that develop and flow largely independent of one another, until they converge, under the right conditions to open a policy window that drives an issue onto the public policy agenda (see Figure 2). In the case of California's positive school discipline reform, the MSF creates the theoretical inroads necessary for this policy history to examine the process behind, “an idea whose time has come” (Kingdon, 1984, p.1). That is, the MSF helps explain the dynamic policy process that led to the destabilization of punitive school discipline in California and set in motion a statutory shift towards liberalized central state positive school discipline policy. The MSF also helps to explain the role, interests, and resources of powerful policy actors, and how they drew attention to existing problem frames and alternative policy solutions from other policy environments, coupling the problem stream with the politics and policy stream. In the sections that follow, I present Kingdon's three streams of the MSF and the elements that comprise them. Then, I apply the framework to the case of California's positive school discipline reform.

The Problem Stream. The problem stream encompasses the moment when the perception of a problem changes and becomes redefined. At this juncture, it is determined that government intervention is necessary to resolve an issue. The problem stream is comprised of three core elements that have traditionally captured the attention of policymakers in the policymaking process. The three elements, broadly construed are: (a) objective indicators and metrics that relay the magnitude and severity of the problem, (b) major focusing events that draw attention to the problem, and (c) societal feedback of policies or government programs (Kingdon, 1984). Since the public policy agenda cannot attend to all societal conditions that need improvement, agenda setting becomes a mechanism whereby one policy issue may gain attention at the expense of another. As such, agenda setting and policy making becomes zero-sum.

According to Kingdon's (1984) MSF, when a societal condition becomes so problematic, objective indicators will emerge to signal the severity of the problem. For example, quantitative data may indicate that a teacher shortage exists within special education as indicated by an objective teacher student ratio. In other cases, the acknowledgement of a societal condition as a problem may occur by way of a disaster, calamity, or simply by a policymaker's lived experience. According to Kingdon, an issue is more likely to rise to the level of a problem and

get the immediate attention of a policymaker if a policy actor or entrepreneur can demonstrate that a solution to the problem already exists within the broader policy environment. The problem stream within the MSF is arguably one of getting and keeping the attention of policy makers, and the preliminary coupling of a solution to a problem.

The Policy Stream. According to Kingdon (1984), novel alternatives and solutions to problems may already exist within the greater policy environment or may emerge within the policy stream of the MSF. According to the MSF, “policy decisions in this stream are influenced by political support or opposition, the credibility of evidence, the views of experts, bargaining by the policy community, active engagement on the part of interest groups, the public acceptability of ideas and the feasibility of proposals”(Kingdon as cited in Jat, Deo, Goicolea, Hurtig & Sebastian., 2013, p. 2). While alternatives and solutions may already exist in the greater policy environment, the policy stream is where policy actors and stakeholders typically join the table for a conversation. This is particularly true in the state of California, with its robust and participatory legislative body.

The Politics Stream. Three mechanisms within the political stream highlight the possibility that an issue will successfully land on a governmental public policy agenda, they are: (a) swings in the national mood, (b) organized political forces, and (c) changes or events within the government itself (Kingdon, 1984). Swings in the national mood may be measured through national polls or prominent news features and frames by the media. Organized political forces, such as unions and political coalitions, may channel the pursuit of their interests and values with respect to policy priorities. Similarly, the way policymakers respond to the level of support or opposition coming from organized political forces can shift the priority of an issue on the policy agenda. Furthermore, the change in the political makeup of governments, the presence of key personnel and the turnover in leadership positions are factors that determine who decides what issues receive priority attention and may reflect evolving societal values and preferences. Elected or appointed government officials may, at this point, bargain and negotiate for power in this stream. Taken together, these mechanisms can facilitate or hinder the emergence of an issue rising onto the public policy agenda. These elements within the politics stream don’t necessarily have to line up in order for the politics to couple with the policy and policy streams.

Methodology

The *Governor Chaptered Bill File* microfilm collection at the Berkeley Law Library, California Legislative Information website, California Senate and Assembly Floor Sessions, and Committee Hearing Media Archives were utilized to access documents and videos related to the legislative trajectory of school discipline policy in California. The documents reviewed included legislative reports, letters in support and opposition to legislation, research and analysis prepared by state agencies or committees, various documents received by the governor’s office related to the bills at hand, and archived videos of California Senate and Assembly Floor Sessions and hearings where bills were discussed.

First, I collected archival legislative data by producing copies of the Governor’s Chaptered Bill File microfilm collection from the Berkeley Law Library. The documents enabled me to trace how California’s school discipline policy evolved building up from punitive zero

tolerance policy and shifting toward positive school discipline in the present. I reviewed the files, which contained correspondence (e.g., letters, analysis, arguments) from the bill's author(s), co-sponsor(s), letters in support and opposition, as well as analyses from Assembly, Senate, and select committees on education, and "analyses prepared by the Legislative Counsel, Attorney General, other constitutional officers, state agencies and the Governor's staff" for available school discipline related bills since 1992 (Alex Padilla California Secretary of State, 2016).

Then, I reviewed a breadth of major news and academic articles related to school discipline reform within the state of California. I reviewed the California Legislation Information website to document legislative actions corresponding to school discipline reform bills. Where available, I reviewed video recordings from legislative hearings. The hearings provided insight into the legislative debates and conversations regarding proposed policy solutions, the motivations of major stakeholders on this issue, and their position statements. While the state of California does not publish its legislative history materials as regularly and as consistently as the federal government (Berkeley Law, n.d.), I marshaled data from a number of sources to corroborate this account.

The Pendulum Swings: An Overview of the Shift from Punitive to Positive School Discipline Reform in California

In 2012, the legislature signaled its positive turn when it passed Assembly Bill 1729 (AB 1729). AB 1729 authorized and encouraged districts and schools to explore "alternatives and other means of correction" that did not involve removing students from the educational environment (Pupil rights, 2012, §1). In doing so, it clarified existing law to "ensure the discretion of superintendents of schools and principals to implement school discipline policies and practices other than school suspension and expulsion" (Pupil rights, 2012, §3). It also codified a list of state-approved alternative interventions in the education code, including:

a positive behavior support approach with tiered interventions that occur during the school day on campus, a conference between school personnel, the pupil's parent or guardian, and the pupil, participation in a restorative justice program, and after-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors (Pupil rights, 2012, §3).

The permissive nature of this positive school discipline reform made it palatable for educational stakeholders statewide, and signaled that California's institutionalized support for zero tolerance was on the decline. However, the issue of who controlled school discipline remained in the balance.

By 2014, California became the first state in the nation to eliminate suspensions for students K–3 and expulsions for all students for minor misbehaviors considered willfully defiant, such as talking back, being in violation of school dress code, "disrupting school activities or otherwise willfully defying the authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties" (Pupil discipline, 2014, §1). The passage of AB 420 marked a radical departure from the way California had

operationalized school discipline for over 20 years. In a letter to district superintendents (Torlakson, 2015), the superintendent of public education wrote:

I am writing today to inform you that implementation of Assembly Bill 420 (Dickinson) became law on January 1, 2015...[AB 420 provides] that willful defiance and disruption offenses shall not constitute grounds for a pupil enrolled in kindergarten or any of grades one to twelve (inclusive) to be recommended for expulsion. Every year, approximately 500 students statewide are expelled from school districts for this reason only (without citing any of the 23 other offenses for which school districts can expel students). I encourage you to refer to the California Department of Education Behavioral Intervention Strategies and Supports Web page at <http://www.cde.ca.gov/ls/ss/se/behaviorialintervention.asp> to learn more about practices and policies that many schools and districts are putting in place to address discipline issues proactively and support students whose behaviors may signify a call for help.

The provisions of AB 420 were set to become inoperative on July 1, 2018 unless reenacted through another statute. In 2019, the state of California reenacted the provisions of AB 420 and expanded them. The provisions of AB 420 achieved permanency through a 2018–19 budget trailer bill. Democratic state senator Nancy Skinner introduced Senate Bill 419 (SB 419) which extended the ban on willful defiance suspensions to grades 4 and 5, and piloted the same for grades 6 through 8, with a *sunset* period of 5 years, “to give school districts a chance to evaluate it” (Agrawal, 2019). While studies have focused largely on the unintended consequences of zero tolerance policy and the success and failure of positive school discipline reform in K–12 education, this policy history begins to identify how positive school discipline became a legislative priority in the state of California. It provides context for implementation studies of this K–12 education law.

Policy Players and Entrepreneurs

Four major policy entrepreneurs co-sponsored AB 420. These policy entrepreneurs were key in harnessing the policy process and advocating for school discipline solutions. The co-sponsors of the bill included (a) The American Civil Liberties Union (ACLU), (b) Children Now, (c) Fight Crime: Invest in Kids, and (d) Public Counsel. Ranging from state to national organizations, the co-sponsors of this legislation included those focused on civil liberty advocacy, legal services, law enforcement, research, and advocacy. They invested time, resources, and organizational legitimacy to back the reform. Myriad educational, cultural, ethnic, childrens’ health organizations, legal, school district and community coalitions joined the list of supporters for this measure and other efforts to liberalize and decriminalize school discipline policy.

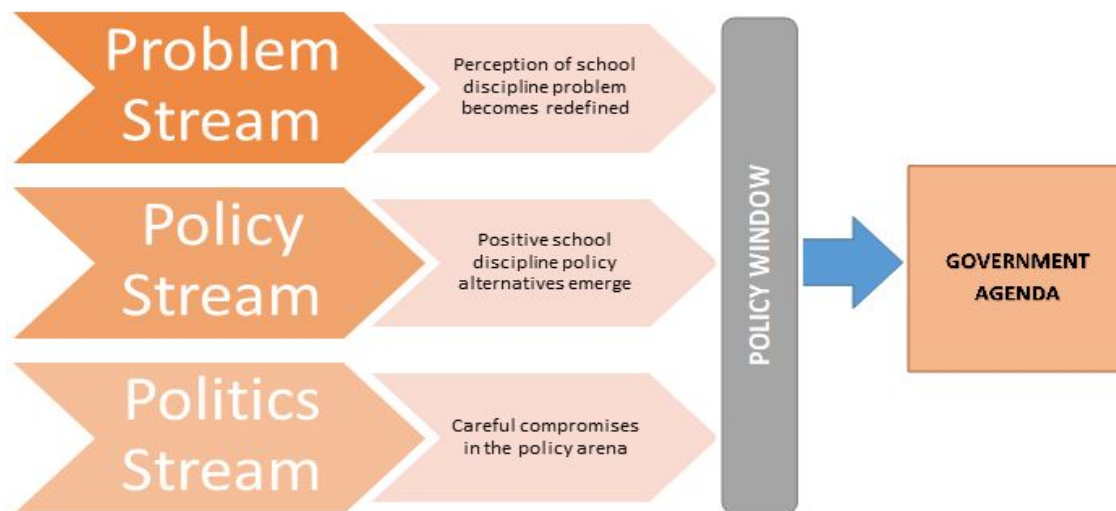


Figure 2. Multiple-streams framework with example from Positive School Discipline Reform in California. Adapted from Kingdon (1984).

Problem Indicators

A number of problem indicators emerged to propel school discipline reform onto California’s public policy agenda. As cited in the bill analysis by the Assembly Education Committee, “more than two decades of research... [revealed] that out-of-school suspensions [did] not work. [Suspensions did] not improve student behavior and, in fact, often [exacerbated] the problem” (Kim, 2013). Furthermore, after two decades of zero-tolerance implementation, there was “no evidence that frequent reliance on removing misbehaving students [improved] school safety or student behavior” (American Psychological Association, 2008; Skiba & Losen, 2010, p. 10). In the absence of confirming evidence on the deterring value of punitive school discipline, educational policymakers, and stakeholders came to doubt the utility of punitive school discipline policies and practices.

At the time that AB 420 was considered, data indicated that the growing number of student suspensions were due to school discipline policies that were primarily utilized to target minor misbehavior instead of school violence. The analysis for AB 420 by the Senate Committee on Education cautioned that, “California [had] one of the highest rates of suspension in the nation” (Lorber, 2013, p. 1). Moreover, state-level data for the 2013–2014 school year revealed that 181,479 of the 503,189 statewide suspensions were issued for the catch-all suspension offense of willful defiance (California Department of Education, n.d.). A smaller total of 45,182 suspensions were reported for violent incidents with injury, 12,584 for weapons possessions, and 53,000 were illicit-drug related. According to data and research, the high rates of school discipline were largely due to “minor incidents of misbehavior clustered under the vague category of ‘willful defiance’” (Martinez, Chandler & Latham, 2013, p. 3). The category of willful defiance, according to some stakeholders, had become “catch all.”

The leading problem indicator for stakeholders in California was the disproportionate impact that punitive school discipline was having on students of color. In analyzing AB 420, the Assembly Committee on Education led with a discussion of data from the 2011 policy brief by the University of California, Los Angeles' Civil Rights Project titled *Discipline Policies, Successful Schools, and Racial Justice*. The committee relied on statistical analysis regarding the, “disparity in suspensions and expulsions for black students, especially males, and students with disabilities” (Kim, 2014, p. 2). The analysis noted that according to the aforementioned report “disciplinary actions that result in exclusion from school cause students to miss important instructional time and may result in a greater risk of disengagement and diminished educational opportunities” (Kim, 2014, p.3). The number of suspensions for minor incidents and the disproportionality impacting students of color, males, and students with disabilities, amounted to an educational crisis with a negative effect on the educational attainment of students which required government intervention.

Indeed, the indicators demonstrated that punitive school discipline policy precluded disciplined students from receiving an education as they were removed from the classroom for their misbehavior. Studies revealed the significant accrual of lost instructional time in California, which captured the attention of the state (Losen & Whitaker, 2017). A study by the Civil Rights Project at the University of California, Los Angeles became the first to analyze and quantify California's suspension problem as measured by the number of school days missed as a result of school discipline (Losen & Whitaker, 2017). According to the study, in the 2013–2014 school year, California students missed at least 840,000 days of instruction due to school discipline (Losen & Whitaker, 2017, p. 6). Furthermore, a California study conducted by EdSource in 2012 surveyed administrators in charge of school discipline within school districts with enrollments of over 1,000. The survey revealed that, “about 65 percent of suspended high school students [were] suspended for three or more days. Fourteen percent [were] suspended for the maximum of five days. [And that the] number increases to 19 percent in high-suspension schools. At the middle school level, 42 percent of suspended students are suspended for three or more days, while only 10 percent are suspended for that length of time at the elementary level” (Freedberg & Chavez, 2012, p. 6).

Indicators emerged from across the political spectrum as the problem with punitive school discipline became defined and coupled with policy solutions by policy entrepreneurs. For example, Fight Crime Invest in Kids a “national, bipartisan, nonprofit, anti-crime organization... [with] a membership of more than 5,000 police chiefs, sheriffs, district attorneys, other law enforcement leaders and violence survivors”(Warner, Thompson, & Becker, 2012) became active in raising problem indicators that would appeal to more conservative legislators and constituent groups (Martinez et al., 2013, p. 8). In 2012, Fight Crime Invest in Kids California authored the report, *Classmates not Cellmates: Effective School Discipline Cuts Crime and Improves Student Success*, just two years before the organization became a co-sponsor of AB 420. Using a crime prevention narrative and frame—the same narrative touted broadly to support the institution of zero-tolerance policies in the 1990s—Fight Crime Invest in Kids warned that lost instructional time as a result of school suspensions correlated with heightened student propensity for criminality. Fight Crime Invest in Kids came to define punitive school discipline as a problem of juvenile delinquency and crime. The general consensus was that students who

were removed from the educational environment due to school discipline were, “getting into trouble out of school and into an often unsupervised environment [that] can exacerbate rather than help deal with problems” (Warner, Thompson, & Becker, 2012, p.3). As such, Fight Crime Invest in Kids framed the issue, and raised indicators to define the problem of punitive school discipline as it relates to more serious crime. Fight Crime Invest in Kids (2012) argued that “staying in school even one year longer reduces the likelihood that a youngster will turn to crime, graduating from high school has a dramatic impact on life outcomes” (p. 3). This is but one example of policy entrepreneurs framing the issue into action and redefining the problem of punitive school discipline.

Focusing Events Lend Visibility

Within the problem stream, major focusing events are said to capture the attention of policymakers and the public. In the case of school discipline reform, several focusing events heightened the visibility and awareness of what came to be defined as California’s school discipline problem. The public’s attention turned squarely to the issue of civil rights and racial disproportionality, and to the students who brought the problem to life. News stories, reports of excessive police force on students, articles, rallies and demonstrations brought the issue forward. Furthermore, the scope and challenge of the school discipline problem was magnified through strategically coordinated media communications and advocacy campaigns, along with the widespread and timely dissemination of key research by philanthropic foundations highlighting racial disproportionality that commanded the attention of policymakers and the public (Hershey Cause, n.d.). Furthermore, the racial disproportionality frame became particularly salient as California grew into a majority-minority state around 2013.

In 2012, The Civil Rights Project at UCLA published the report *Suspended Education in California*. The report was among the first to analyze the state and district level data released by the US Department of Education Office for Civil Rights. This publication “[revealed] to the public the unusually high levels of risk for suspension as well as the stark differences in discipline when these risks are presented by race, gender and disability status” (Losen, Martinez & Gillespie 2012, p. 1). The widespread dissemination and promotion of the findings—funded in part by philanthropic foundations—were key in motivating the school discipline reform movement that had begun in California.

Media Framing Supports Policy and Advocacy Coalitions

A California case study, *Fix School Discipline Campaign Communications Strategies That Fast Tract Policy Change* revealed that one of the state’s largest health foundations, The California Endowment, invested approximately \$45,000 on statewide public opinion polling and \$200,000 in frame and media research and advertising related to positive school discipline reform (Hershey Cause, n.d). The California Endowment also spent approximately \$15,000 for the dissemination of disproportionality research. According to the case study, the results from statewide public opinion polling revealed that four in five voters were prepared to support changes within school discipline (Hershey Cause, n.d.). Results from the poll revealed that the public responded strongly to positive school discipline reform messages that focused on “giving students a second chance to succeed and get back on track” (Hershey Cause, n.d., p.3).

According to the authors, while adults and those considered experts in the field of school discipline were persuasive, “credible messengers [included] students who had gotten in trouble but learned from their mistakes” (Hershey Cause, n.d., p.3).

The California Endowment coordinated the strategic airing of positive school discipline commercials during a “heavy TV spot rotation in Sacramento during crucial policy debate, [the placement of] a local newspaper ad at the site of the California School Board Association Conference, and a targeted Fresno Bee ad placement prior to a key school district board vote” (Hershey Cause, n.d., p. 4). In doing so, it sought to strategically reframe the dominant narrative “from one of punishing individual troublemakers to a need for systemic change that held kids accountable while helping them learn and get the support they needed to succeed” (Hershey Cause, n.d., p.3). This shift in narrative can be seen at the state level, where according to state actors, zero tolerance was formerly intended to “crack down” on student misbehavior, whereas the reforms suggest that student misbehavior is now a “cry for help” (Torlakson, 2015).

According to a case study, policy and advocacy coalitions benefitted from robust communication strategy support that included:

“polling to understand whether Californians were ready to support school discipline reform; messaging research to identify the most compelling ways to talk about the issue; promoting research that documented the overuse of harsh discipline and its impact on students; organizing events aimed at attracting media coverage and assisting with the development of op-eds; and promoting California schools that had embraced positive discipline that both lowered suspension rates and lifted test scores” (Hershey Cause, n.d., p. 2).

Taken together, the *surge* in well-crafted media messaging, coordinated strategy, and foundational support, boosted the trajectory of positive school discipline reform in California.

Feedback

According to Kingdon (1984), feedback from previous policies and government programs becomes critical as conditions come into focus within the problem stream in the MSF. In the case of positive school discipline reform, local feedback from within the broader policy environment was used as a basis for suggesting improvements. In the aforementioned statewide survey—conducted by Education Trust–West—of school district leaders in charge of school discipline policies within districts with total enrollments over 1,000 students, “two-thirds of respondents expressed concern that their school discipline policies were having a differential impact on students from different racial and ethnic backgrounds, with one-third (34 percent) indicating they are “very concerned” (Freedberg & Chavez, 2012, p. 4). Aggressive data collection efforts at the state and national level corroborated the existence of stark problem indicators associated with punitive school discipline policies and practices, evidencing the need for reform.

Taken together, the indicators, focusing events, and policy feedback within the problem stream proved that: (a) punitive school discipline did not work, (b) statewide suspension rates

were exceedingly high, (c) racial disproportionality among disciplined students persisted, and (d) disciplinary policies adversely affected student educational outcomes. While California had reached a consensus that all of this amounted to a serious educational problem, the status quo maintained that punitive discipline policies were necessary to regulate student behavior. Actors in favor of punitive school discipline policies argued that these policies provided students with safe and improved educational environments, thus outweighing the negative and unintended consequences raised by the indicators. However, California struggled to justify its punitive approach once the problem indicators, focusing events, and policy feedback pressures mounted.

The Politics Shift: The Streams Couple

The National Shift

In 2011, the U.S. Education Secretary Arne Duncan and Attorney General Eric Holder announced the, *Supportive School Discipline Initiative* a collaboration between the U.S. Department of Education and the U.S. Department of Justice to “to support the use of school discipline practices that foster safe, supportive, and productive learning environments while keeping students in school”(U.S. Department of Education, n.d., p.1). The initiative, which served to coordinate action at the federal level, also served, “to provide schools with effective alternatives to exclusionary discipline while encouraging new emphasis on reducing disproportionality for students of color and students with disabilities” (U.S. Department of Education, n.d., p. 1). The initiative marked a radical departure from the way school discipline had been operationalized at the national level. It also brought into national focus the problem of racial disproportionality that had drifted in the problem stream, uncoupled to any policy solution, for so many years. The *Supportive School Discipline Initiative* highlighted this issue, which placed it at the intersection of education, civil rights, and the law. According to a U.S. Department of Education overview, the collaboration reflected national consensus building and the organizing of governmental and non-governmental political forces. To this end, the U.S. Department of Education and Justice revealed:

The two federal agencies have worked in collaboration with the Atlantic Philanthropies, the California Endowment, Novo Foundation, and others to support the Council of State Governments to conduct a process to develop consensus recommendations to dismantle what is commonly named the “school-to-prison pipeline.”...The School Discipline Consensus Project brings together practitioners from the fields of education, juvenile justice, behavioral health, and law enforcement, as well as state and local policymakers, researchers, advocates, students, and parents to collaboratively develop a comprehensive set of recommendations for change agents working to address this issue (U.S. Department of Education, n.d., p.1).

The initiative convened working and listening sessions to gather recommendations for Federal School Discipline guidelines that were subsequently issued in 2014. The prominent national view at the time was in support of positive school discipline reform.

The State Shift

In the mid 1990s, Governor Pete Wilson introduced *governor sponsored* zero tolerance school discipline legislation and essentially steered the school discipline politics stream in California. While the bill passed, it did not become law due to a technicality. However, it set the rigid tone for what school discipline policy in California would look like in the years to come. Beginning with the enactment of SB 966 (Pupils, 1995), an even stronger measure, a number of school discipline related bills incrementally added to California's school discipline code, which became one of the most punitive and robust in the nation. This, of course, mirrored the national tough-on-crime deterrence stance taken by the federal government that had assimilated into the educational arena.

In many ways, the state of California was pressured to lower suspensions and expulsions due to the relentless advocacy from local leaders, community organizers, nonprofits, and youth. Compounding these pressures could have been that California remained under federal court order to reduce overcrowding in state prisons, and that the nexus between criminal justice, juvenile justice, and school discipline or the *school-to-prison-pipeline* had become clear. As such, California voters took the opportunity to address issues of discipline and school climate through broader criminal justice reform under Proposition 47 in 2014.

California's Proposition 47, The Safe Neighborhoods and Schools Act (SNSA), reformed felony-sentencing laws to reduce overcrowding in prisons. This generated fiscal savings and relief from the effects of mass incarceration and punishment. The fiscal savings accrued to the state were mandatorily deposited into the *Safe Neighborhoods and Schools Fund* and spent on "prevention and support services with the intent of reducing crime, including truancy and dropout prevention" (Education Finance, 2016, §33430). Twenty-five percent of the fund is transferred to the California Department of Education to administer grants under the *Learning Communities for School Success Program* established by Senate Bill 527 under Prop. 47. In line with its shift from punitive to positive school environments, California encouraged local educational agencies to apply for a grant for the purpose of, "planning, implementation, and evaluation of activities in support of evidence-based, non-punitive programs and practices to keep the state's most vulnerable pupils in school" (Education Finance, 2017, § 33432).

Among other non-punitive approaches, Prop. 47 supported restorative practices, restorative justice models, social-emotional learning activities, positive behavior intervention and supports, and trauma informed strategies, reflecting the shift towards positive school discipline. Yet, the state's findings and declarations of legislative intent sent a clear message: "California needs to increase the knowledge base concerning which strategies are most effective for improving pupil success and eliminating the school-to-prison pipeline" (Education Finance, 2017, § 33432). Tellingly, the alternative school discipline strategies set forth under Prop. 47 were encouraged but not mandated in California's AB 1729. For now, California continues to shift the emphasis from "safe" school environments, to "positive" ones. The push to abandon zero tolerance is reflected in positive school discipline reform and broader juvenile and criminal justice reform.

Careful Compromises in the Policy Arena

California's Positive school discipline reform traversed many public policy arenas. One critical arena was that of local control. For instance, while AB 420 enjoyed great success through the legislature, a previous and more expansive version of the bill was vetoed by Governor Brown in 2012 on the grounds of local control. The more expansive measure Assembly Bill 2422 (AB 2422) sought to eliminate willful defiance as a category for suspensions and expulsions across *all* grade levels. In his veto message for AB 2242, Governor Brown stated:

I cannot support limiting the authority of local school leaders, especially at a time when budget cuts have greatly increased class sizes and reduced the number of school personnel. It is important that teachers and school officials retain broad discretion to manage and set the tone in the classroom. The principle of subsidiarity calls for greater, not less, deference to our elected school boards which are directly accountable to the citizenry (Governors Veto, 2012).

Careful compromises and negotiations took place after AB 2242 was vetoed to ensure the successful passage of AB 420 (see Appendix A). For instance, as AB 420 advanced through the legislature it was amended in every committee to address opposition from educational organizations and stakeholders. "These organizations have already won some compromises," an article from Ed Source explained, "The bill [AB 420] originally had allowed suspensions only for high school students. The bill also originally required that the earlier willful defiance incidents and the alternative discipline offered be 'documented'... that requirement has been dropped"(Frey, 2013).

In its final amended form, AB 420 did not possess any opposition on record with the Assembly or Senate education committees. Even more telling of the compromises that were made, AB 420 contained a sunset date of January 1, 2018, meaning the reform would undergo a trial period and it would become inoperative unless it was reenacted before the sunset. This sent a signal to policymakers that the mandate was not permanent and would not be institutionalized unless it worked. "Advocates for change would very much like to go further," the author of AB 420 said, "but we realize the governor's willingness to agree to take steps at all is a significant move."

Table 1
Arguments in support and Opposition

Bill	Arguments in Support	Arguments in Opposition
AB 1729	According to the author, “AB 1729 reaffirms that superintendents and school principals have the discretion to implement alternatives to suspension and expulsion and expands the list of ‘other means of correction’ that must be implemented prior to suspension or expulsion to address most student misbehavior.”	“Opponents argue that the policy intent of this bill with regards to instructing students about acceptable behavior is something we would support if additional resources were provided. Unfortunately our schools do not have the resources or the staff to implement the policies of AB 1729. Classrooms are overcrowded and difficult choices have been made in order to keep the doors open.”
AB 420	The author states, "More than two decades of research has confirmed that out-of-school suspensions do not work. They do not improve student behavior and, in fact, often exacerbate the problem. In addition, students who are subjected to out-of-school discipline not only lose important instructional time, they are far more likely to drop out of school and enter the juvenile justice system, at great cost to the state. One study found that with respect to detained youth that more than "80 percent . . . had been suspended . . . and more than 50 percent had been expelled from school prior to their incarceration." Whereas students whose problem behaviors are addressed proactively with research-based supports and interventions in school and with parents are more likely to remain in school and on track."	The California School Boards Association (CSBA) states, "while it is important to provide alternative programs and methods to address the needs of students rather than just suspension and expulsion, it is just as important to ensure that schools have the resources and staff necessary to provide those alternatives. CSBA remains concerned about the lack of training for school personnel to communicate and deal with willfully defiant students without suspending them. Further, there will also need to be the resources to provide additional classroom space and teachers for in-school suspension programs."

Note. Arguments in support and opposition for AB 1729 are as reflected in the Office of Senate Floor Analysis, p. 10. Arguments in support and opposition for AB 420 are as reflected in the Assembly Education Committee Analysis, p.5, as prepared by Sophia Kwong Kim.

Policy Stream

In the years leading up to California's statewide reform, viable alternatives to punitive school discipline existed within the broader and local policy environments. Consistent with Kingdon's (1984) MSF, the alternative solutions were already *floating* in the educational arena and policy environment, they simply needed to gain support in Sacramento and be coupled to the problem. In fact, some local school districts had already begun to address the issues of school discipline due to local pressures from parent and community organizers. Civil rights leaders from across the country and state signed a letter to Governor Jerry Brown outlining alternatives to punitive school discipline, and urging him to stand by AB 420 (Sign AB 420 to support civil rights, 2013). The letter explained,

In the face of more effective alternatives, allowing schools to suspend elementary school children for disruption/willful defiance perpetuates the use of educationally unjustifiable punishments. Besides cases of intentional discrimination, the frequent and disparate harm from an unsound policy or practice raises serious civil rights concerns—and possible violations of civil rights law. Not only is there no educational justification for the disproportionate impact on Black students and students with disabilities, but these disparities could be avoided if schools employed alternative responses in place of out-of-school suspension and expulsion, the harshest of punishments.

Indeed, research-based arguments of disproportionality and better alternatives accompanied all support for positive school discipline legislation. For instance, the Los Angeles School District adopted School Wide Positive Behavior Interventions and Supports (SWPBIS) in 2007 (Leung, Mendoza, & Cobb, 2018). SWPBIS is a tiered behavior intervention program proven to improve school climate and reduce the occurrence of problem behavior in schools by supporting the social-emotional development of all students. The adoption of SWPBIS came after a year-long campaign by the parent and community organization Community Asset Development Re-defining Education. The group confronted the “push out” problem and racial discipline disparities that plagued South Los Angeles (Leung, Mendoza, & Cobb, 2018). Similarly, the Oakland Unified School District adopted a Restorative Justice resolution aimed to “positively impact the District's School Climate, Discipline Policies and Procedures” (Oakland Unified School District, 2010). Restorative Justice is an approach to student misbehavior that focuses on restoring harm to the community or victim and taking responsibility for problem behavior through mediation. These and other policies were lifted as solutions.

The Policy Window Opens

As previously mentioned, a number of positive school discipline reform bills were introduced to the California legislature in 2012. Under the MSF, this signaled that policy actors and advocates were broadly successful insofar as (a) defining the school discipline problem through objective metrics and indicators, (b) drawing attention to the problem through focusing events, and (c) providing clear feedback to the state that zero tolerance punitive school discipline was not working (i.e., problem stream). At least 10 school discipline reform bills were introduced by California state legislators and co-sponsored by various organizations.

According to one California case study, grassroots advocates were highly visible within the statewide push to reform school discipline (Martinez et al., 2013). Along with youth, local advocates were credited for walking through the halls of the California state capitol in a strategy that included personally speaking to every legislator that would vote on school discipline reform. Within this emerging school discipline reform policy coalition, lawyers reportedly contributed their technical skills and drafted legislative ideas into preliminary bills and suggested bill language for at least 10 measures (Martinez et al., 2013). Prominent statewide policy actors, such as Fight Crime: Invest in Kids, the American Civil Liberties Union, and Public Counsel co-sponsored and endorsed AB 420. Finally, foundations played a major role in setting the backdrop on which school discipline reform would unfold, and invested heavily in public polling and media campaigns. Taken together, these loosely coupled policy entrepreneurs combined their strengths and talents to pry the policy window open for positive school discipline reform.

Policy Passes Through

Four school discipline bills were passed in 2012. Of those, AB 1729 encouraged, but did not mandate, a list of alternative school discipline policies and practices to reduce suspensions and expulsions. The permissive nature of the reform reflected Governor Brown's vision of local control and made the legislation more agreeable for stakeholders. AB 1729 kept the policy window open and set a positive environment for the subsequent passage of AB 420. AB 420 came as a shock and disruption to longstanding punitive school discipline policy.

Conclusion

What can Kingdon's MSF tell us about state-level policymaking when used to analyze the policy history of positive school discipline reform in California? What implications does expanding the MSF to include the role of the media and problem framing hold for education policy reform? And what insights can political and agenda-setting theory contribute to the field of education research and reform? When applied to this case, Kingdon's MSF revealed that California's shift to positive school discipline reform was complex and highly participatory, with the three streams evolving simultaneously (though at different speeds). In a path-dependent process, the state first encouraged the positive alternatives to punitive school discipline, and later eliminated the institutionalized and punitive authority to suspend or expel students for willful defiance through a policy mandate. This process raises important questions as to how the reform and mandate was perceived and understood at the local level, particularly through its strategically coordinated media campaigns. Furthermore, while California swept school discipline reform into the partisan politics of the juvenile and criminal justice systems, the MSF enabled this analysis to pull apart the problem, politics, and policies of school discipline reform, demonstrating how stakeholders were able to converge on this educational issue—coupling problems to solutions—and under what leading frames. The MSF was also useful in illuminating the broader statewide and national frameworks, which are of particular significance given the present federal education policy and civil rights context.

While California shifted its legislative prerogative from securing safe school environments to positive school environments, vestiges of the old system remain. This is evidenced by persistent racial disproportionality in school discipline despite the positive school

discipline reforms and suggests the need for in-depth qualitative case studies at the local level. While the MSF did not necessarily attend to power and how it was wielded within the three streams, it offered an examination of changing ideologies among powerful policy actors and the frames they invoked. The framework illustrated changing perceptions given a changing policy context, including those from the micro-level average California voter, to the macro-level California governors who instituted and reformed zero tolerance school discipline policies. Widespread training on the implementation of positive school discipline alternatives and sustained funding in addition to bias training, media framing, and polling would benefit school discipline reform in California, affording a more complete policy solution for the state.

Appendix A

Select School Discipline Related Legislation

Bill	Year	Author	Summary
SB 1930: Pupils Sexual Harassment	1992	Hart	Makes sexual harassment an offense for which a student can be suspended or expelled from school. The student's conduct must be considered sufficiently severe or pervasive to have a negative impact on academic performance or the educational environment. This bill does not apply to students enrolled in kindergarten and grades 1 to 3.
AB 1714: Pupil Discipline	1993	Umberg	Authorizes school personnel to require a pupil to perform community service on school grounds during nonschool hours, instead of other prescribed disciplinary action.
AB 2543: California Schools Hate Violence Reduction Act of 1995	1994	Lee	Enacts the California Schools Hate Violence Reduction Act of 1995 and declares the need to prevent and respond to acts of hate violence and bias-related incidents that are occurring within the public school system. Directs the State Board of Education to adopt appropriate policies, guidelines, and curriculum.
AB 2728: Pupils: Suspension and Expulsion	1994	B. Friedman	Establishes intent that school districts and county offices of education may establish in-house suspension programs as an educational and disciplinary alternative to off-campus suspension.
AB 2752: Pupils Suspension and Expulsion	1994	Allen	Allows a student to be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the student is enrolled determines that the student has intentionally engaged in harassment, threats or intimidation, directed against a student or group of students.

(Continued on next page)

SB 966: Pupils Zero Tolerance	1995	Johnston	Established a “zero-tolerance expulsion policy for bringing a gun to school, pulling a knife on another person, or selling drugs on campus. Increase the minimum expulsion period.
AB 692: Pupils: Expulsion: Sexual Assault	1996	Kuehl	Mandated the expulsion of a pupil found to have committed or attempted to commit specified acts of sexual assault or committed sexual battery at school or at a school activity with exceptions for students with exceptional needs.
AB 412: Pupils: Suspension & Expulsion	1997	Wildman	Slightly revises the list of acts for which a pupil may be suspended or expelled and requires, for purposes of notification to parents and the State Department of Education (SDE), each school district to specifically identify expulsion or suspension offenses in pupil records.
AB 653: Crime: Minors: Schools	2001	Horton	Adds aiding and abetting in a physical injury of another student to the acts for which superintendents may suspend students. This bill also allows superintendents to use their discretion in these circumstances to recommend counseling or other alternatives and authorizes courts to order minors involved in assaults or batteries to attend counseling.
AB 662: Pupil Suspension & Expulsion	2002	Vargas	Authorizes a superintendent or the principal of the school in which a pupil is enrolled to suspend or recommend for expulsion a pupil who unlawfully offers, arranges to sell, negotiates to sell, or sells the prescription drug Soma.
AB 1901: Pupil Expulsion	2002	Cohn	Specifies the criteria of activities for which a student may be suspended, or recommend for expulsion, including theft or damage of electronic files or databases and intentional harassment or intimidation of school district personnel.

(Continued on next page)

AB 1411: School Safety: Hazing	2003	Wolk	Expands the definition of hazing to include any initiation or pre-initiation into a student body, as well as a student group, that poses an emotional or physical danger. The bill also adds hazing to the list of suspendable offenses authorizing a superintendent to suspend or recommend for expulsion of a student for participating in hazing activities.
SB 1454: Crimes: Hazing	2006	Torlakson	Removes the current hazing provisions from the Education Code and instead recasts them in the Penal Code. This bill also allows a person to bring a civil action for injury or damages against individuals or organizations that conduct or authorize hazing.
SB 132: Education	2007	Committee on Edu.	Makes various clarifying and technical changes to the education code and deletes obsolete provisions.
AB 86: Pupil Safety	2008	Lieu	Specifies that bullying, as used in these provisions, means one or more acts by a pupil or a group of pupils directed against another pupil that constitutes sexual harassment, hate violence, or severe or pervasive intentional harassment, threats, or intimidation that is disruptive, causes disorder, and invades the rights of others by creating an intimidating or hostile educational environment, and includes acts that are committed personally or by means of an electronic act, as defined.
AB 1156: Bullying	2011	Eng	Encourage the inclusion of policies and procedures aimed at the prevention of bullying in comprehensive school safety plans. Require that a pupil who has been determined by personnel of either the school district of residence or the school district of proposed enrollment to have been the victim of an act of bullying, as defined, committed by a pupil of the school district of residence be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement, at the request of the person having legal custody of the pupil. (Continued on next page)

AB 1732: Bullying/ Impersonation	2012	N. Campos	This bill would identify specific conduct that would constitute a post on a social network Internet Web site, including posting to or creating a burn page, as defined, creating a credible impersonation of a pupil, as defined and as specified, and creating a false profile, as defined and as specified. The bill also would provide that an electronic act does not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
AB 1729: Alternative and Other Correction	2012	Ammiano	Authorizes the superintendent of the school district or principal of the school to use alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior, as specified.
AB 383: Maintenance of Codes	2013	Wagner	Maintenance of Codes
AB 256: Cyberbullying	2013	Garcia	This bill would instead, for purposes of pupil suspension or recommendation for expulsion from a school, define "electronic act" as the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, as specified.
AB 420: Age Suspension / Expulsion	2014	Dickenson	This bill would eliminate the authority to suspend a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, and the authority to recommend for expulsion a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. The bill would make the restrictions inoperative on July 1, 2018.

Note. Compiled using archival legislative research and supplemented by California Legislative Summaries from Golden Gate University School of Law Digital Commons

Appendix B
California Limits on Exclusionary Discipline

Law	Language	Year
EDC 48900.	A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive: (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a). (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.	(Amended by Stats. 2018, Ch. 32, Sec. 49. (AB 1808) Effective June 27, 2018.)
EDC 48900.2.	For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.	(Added by Stats. 1992, Ch. 909, Sec. 2. Effective January 1, 1993.)
EDC 48903.	(a) Except as provided in subdivision (g) of Section 48911 and in Section 48912, the total number of days for which a pupil may be suspended from school shall not exceed 20 schooldays in any school year, unless for purposes of adjustment, a pupil enrolls in or is transferred to another regular school, an California Compilation of School Discipline Laws and Regulations Page 28 opportunity school or class, or a continuation education school or class, in which case the total number of school days for which the pupil may be suspended shall not exceed 30 days in any school year. (b) For the purposes of this section, a school district may count suspensions that occur while a pupil is enrolled in another school district toward the maximum number of days for which a pupil may be suspended in any school year.	(Amended by Stats. 1999, Ch. 646, Sec. 25. Effective January 1, 2000.)
EDC 48911.	(a) The principal of the school, the principal's designee, or the district superintendent of schools may suspend a pupil from the school for any of the reasons enumerated in Section 48900, and pursuant to Section 48900.5, for no more than five consecutive school days.	(Amended by Stats. 2017, Ch. 445, Sec. 1. (AB 667) Effective January 1, 2018.)

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- EDC 48911.5. The site principal of a contracting nonpublic, nonsectarian school providing services to individuals with exceptional needs under Sections 56365 and 56366, shall have the same duties and responsibilities with respect to the suspension of pupils with previously identified exceptional needs prescribed for the suspension of pupils under Section 48911. (Added by Stats. 1985, Ch. 907, Sec. 3. Effective September 23, 1985.)
- EDC 48912.5. The governing board of a school district may suspend a pupil enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts enumerated in Section 48900 occurred. The suspension shall meet the requirements of Section 48915. Added by Stats. 1983, Ch. 498, Sec. 91. Effective July 28, 1983.
- EDC 48915.01. If the governing board of a school district has established a community day school pursuant to Section 48661 on the same site as a comprehensive middle, junior, or senior high school, or at any elementary school, the governing board does not have to meet the condition in paragraph (2) of subdivision (d) of Section 48915 when the board, pursuant to subdivision (f) of Section 48915, refers a pupil to a program of study and that program of study is at the community day school. All the other conditions of subdivision (d) of Section 48915 are applicable to the referral as required by subdivision (f) of Section 48915. (Continued on next page) (Added by Stats. 1996, Ch. 937, Sec. 3. Effective September 26, 1996.)

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EDC 48915.5

(a) An individual with exceptional needs, as defined in Section 56026, may be suspended or expelled from school in accordance with Section 1415(k) of Title 20 of the United States Code, the discipline provisions contained in Sections 300.530 to 300.537, inclusive, of Title 34 of the Code of Federal Regulations, and other provisions of this part that do not conflict with federal law and regulations. (b) A free appropriate public education for individuals with exceptional needs suspended or expelled from school shall be in accordance with Section 1412(a)(1) of Title 20 of the United States Code and Section 300.530(d) of Title 34 of the Code of Federal Regulations. (c) If an individual with exceptional needs is excluded from school bus transportation, the pupil is entitled to be provided with an alternative form of transportation at no cost to the pupil or parent or guardian provided that transportation is specified in the pupil's individualized education program. (d) If the individual with exceptional needs is a foster child, as defined in Section 48853.5, and the local educational agency has proposed a change of placement due to an act for which a decision to recommend expulsion is at the discretion of the principal or the district superintendent of schools, the attorney for the individual with exceptional needs and an appropriate representative of the county child welfare agency shall be invited to participate in the individualized education program team meeting that makes a manifestation determination pursuant to Section 1415(k) of Title 20 of the United States Code. The invitation may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call. (e) If the individual with exceptional needs is a homeless child or youth, as defined in Section 11434a(2) of Title 42 of the United States Code, and the local educational agency has proposed a change of placement due to an act for which a decision to recommend expulsion is at the discretion of the principal or the district superintendent of schools, the local educational agency liaison for homeless children and youth designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code shall be invited to participate in the individualized education program team meeting that makes a manifestation determination pursuant to Section 1415(k) of Title 20 of the United States Code. The invitation may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(Amended by Stats.
2014, Ch. 767, Sec. 1.
(AB 1806) Effective
January 1, 2015.)

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Regulations	Language
5 CCR § 352. Detention during recess or noon intermission.	A pupil shall not be required to remain in school during the intermission at noon, or during any recess.
5 CCR § 353. Detention after school.	A pupil shall not be detained in school for disciplinary or other reasons for more than one hour after the close of the maximum school day, except as otherwise provided in Section 307.

Note. Compiled using language from California Compilation of School Discipline Laws and Regulations “Limitations, conditions or exclusions for use of suspension and expulsion”

Chapter 3: Superintendent and District Leader Perceptions and Strategic Actions Related to the Adoption and Implementation of Positive School Discipline Policy Across California Central Valley School Districts

This study explored the perceptions and strategic actions related to the adoption and implementation of positive school discipline educational policy by superintendents and district leaders in California's Central Valley (Fligstein & McAdam, 2012; Mills, Thurlow, Mills, 2010; Walls, 2017; Weick, 2003; Weick, Sutcliffe & Obstfeld, 2005). This study focused on understanding the local shift from punitive to positive school discipline, which included the adoption of nonpunitive alternative means of pupil correction and the implementation of a California law that banned suspensions and expulsions for *willful defiance* from the perspective of superintendents and district leaders (Pupil rights, 2012; Pupil discipline, 2014). While the pressure to reform K–12 school discipline was not felt exclusively by district administrators, it was experienced as a more forceful imposition throughout the Central Valley given that some of the highest rates of discipline were contained in this region. This context—along with targeted funding and positive school discipline intervention—makes California's Central Valley an ideal site to study the implementation of statewide K–12 school discipline reform. This chapter analyzed interviews with 25 superintendents and district leaders across 14 Central Valley school districts with medium to high rates of student suspension. At the time that this study was conducted, 13 of the 14 participating school districts had suspension rates above California's state average, though suspension rates were rapidly declining.

Research on school discipline provides insight into the policies and practices that have come to replace zero tolerance—or punitive school discipline—in K–12 schools. A major theme in the literature is the pronounced racial, ethnic, and gender “discipline gaps” that emerge as early as pre-K and persist despite targeted reform interventions (Gilliam, 2005; Losen, Keith, Morrison & Belway, 2015). Research has likewise surveyed the effects of emerging alternative strategies broadly recognized as supportive or positive school discipline interventions. Despite these interventions, little is known about the local change process or *shift* from punitive to positive school discipline reform from the vantage point of local actors within their local educational institutions. Studies in California document the continuous accrual of lost instructional time as a result of school discipline policies and practices (Losen & Whitaker, 2017). Indeed, the literature has failed to explain the problem with school discipline in its “broader structural context, [and has failed] to specify the processes and the subjectivities that mediate between structural and legal forces and the behavior of school actors” (Hirschfield, 2008). In what follows, I analyze collective sensemaking among superintendents and district leaders with regards to school discipline reform in one California region. This research approach enables us to understand how actors make meaning and how that meaning shapes action in adopting and implementing positive school discipline reform at the district organizational level.

The purpose of this study was to explore superintendents and district leaders as field actors and sensemakers regarding positive school discipline and educational policy implementation across the California Central Valley (Fligstein & McAdam, 2012; Weick, 2005).

To enumerate the individual sensemaking processes and contextual field-factors that shaped administrators' perceptions related to positive school discipline, this study asked:¹

- RQ 1.** How do superintendents and district leaders come to define and understand alternative positive school discipline educational policy interventions?
- RQ 2.** What players, ideas, and signals, if any, are superintendents and district leaders reading inside their strategic action fields?
- RQ 3.** Did sensemaking affect the meaning and value that superintendents and district leaders assigned to alternative positive school discipline educational policy interventions? And if so, how?

Conceptual Framework

This chapter seeks to develop our understanding of district administrators' sensemaking and strategic actions. Specifically, it examines individual and collective behaviors and beliefs regarding adoption and implementation of positive school discipline educational policy in California's Central Valley. Honing in on the social skills exhibited by superintendents and district leaders, the study examines how actors not only make sense of the broader shifting policy environment, but frame lines of action on the ground. Sensemaking and field theory perspectives provide insight into how actors interpret the signals they perceive from their broader environment and strategic action field (Fligstein & McAdam, 2012; Weick, 1995, Weick, 2003, Weick Sutcliffe, & Obstfeld, 2005, Weick, 2009). Together, these theories enable us to understand how actors make meaning and how that meaning shapes action in adopting and implementing positive school discipline reform at the district level. According to Fellows and Lui (2017), sensemaking and theory of fields are "vertically complementary" (p.1). Merging these perspectives into a conceptual framework enables a greater understanding of the (a) processes, (b) contexts, (c) inter-relationships between networks of participants (e.g., superintendents and administrators), and (d) their actions and understandings (Fellows & Liu, 2017), as they relate to the adoption and implementation of alternative or positive school discipline interventions.

A Theory of Fields

Zero tolerance or punitive school discipline policy has existed in California K–12 public schools since the mid 1990s. In thinking about how zero tolerance policy has changed in the wake of social and policy movements that gave rise to alternative and positive school discipline educational policies, I draw on a theory of stability and change that recognizes the agentic role of actors and their social environments. The theory of fields, proffered by Fligstein & McAdam

¹ I developed these research questions inductively, using prior knowledge of the data set and its affordances, given my role as an investigator of the original study. As an investigator of the original study, I knew of the strengths and weaknesses of the data, and had preliminary insight into the patterns contained therein before I arrived at these questions, which are distinct from the questions of the original study.

(2012), lends explanatory tools that enable an analysis of social change processes related to K–12 positive school discipline educational policy.

According to Fligstein and McAdam (2012), strategic action fields are meso-level social orders that constitute the building blocks of “modern political/organizational life” (Fligstein & McAdam, 2012, p. 3). These meso-level social orders are the sites where actors collide and arrive at shared understandings about the purpose of the field, their sense of self and relationship to others, power, and the rules that govern legitimate action in the field. It is within the strategic action field of school districts that superintendents and administrators co-exist and cooperate with one another through their networks, and may likewise compete for advantage given the elected nature of their positions, limited resources, and district standings related to school discipline data. It can be argued, then, that state mandated K–12 school discipline policy change catalyzes collective strategic action for district superintendents and administrators across and within multiple levels and fields of social order. Using the conceptual tools from field theory, this analysis seeks to explain the different ways that local actors subjectively make meaning and take action regarding different school discipline policies and practices.

Seven Core Elements. The core elements that comprise the theory of fields framework are: (a) strategic action fields; (b) incumbents, challengers, and internal governance units; (c) social skill and the existential function of the social; (d) the broader field environment; (e) exogenous shocks, mobilization, and the onset of contention; (f) episodes of contention; and (g) settlement (Fligstein & McAdam, 2012). In what follows, I provide an overview of these elements.

Strategic action fields are meso-level social orders wherein actors interact based on their shared understanding of the purpose of the field, actors’ sense of self and relationship to others, power, and the rules governing legitimate action in the field (Fligstein & McAdam, 2012, p. 9). According to Fligstein and McAdam, these meso-level social orders where collective action takes place may be likened to previously conceptualized theories of sectors (Meyer, Rowan & Scott, 1983), organizational fields (DiMaggio & Powell, 1983), games (Scharpf, 1997), fields (Bourdieu & Wacquant, 1992), networks (Powell, White, Koput, & Owen-Smith, 2005) policy domains (Laumann & Knoke, 1987), policy systems/subsystems (Sabatier, 2007), and markets (Fligstein, 1996). The theory of fields distinctly holds that strategic action fields are socially constructed by micro- and macro-level actors, and “turn on a set of understandings fashioned over time by members of the field” (Fligstein & McAdams, 2012, p. 10). The fashioning of understanding or *sensemaking* as other scholars and this study will demonstrate, requires extensive meaning-making by actors within newly destabilized and emerging fields. This chapter analyzes the shift from punitive to positive school discipline educational policy in one California region using the theory of fields and expounds on actor sensemaking within the strategic action of field positive school discipline reform in California’s Central Valley.

The theory of fields posits that membership in a strategic action field is based more on subjective *standings* than on objective criteria. For instance, schools may cooperate in a unified fashion with a shared understanding of the purposes of the field and their shared role within it. However, schools may likewise compete with each other for students, resources (e.g., proximate fields), and standing (e.g., charters, distal fields) and may either blend or underscore differences

contingent on what they want or need from the field. In a given field, some actors are perceived as possessing more or less power than others. It holds that certain shared understandings exist related to the nature and rules governing legitimate field action and act as coagulating agents that hold the field together. The theory also recognizes the existence of a broad interpretive framework that overarches individual and collective sensemaking (Fligstein & McAdams, 2012). This study seeks to extend the framework by delving deeper into the sensemaking processes related to changing school discipline educational policy precisely when the field entered a period of destabilization, shifting from zero tolerance or “moving ...on a continuum” (Fligstein & McAdams, 2012, p. 12) as relationships, field meanings, and order became reestablished.

Collective meaning making informs strategic field action and is embedded within the existential function of the social (Fligstein & McAdam, 2012). As such, this study seeks to expound on the micro-subjective sensemaking that takes place by district leaders and may be used to strengthen explanatory accounts of educational policy reform successes and failures. When analyzed from the vantage point of superintendents, the shift from punitive to positive school discipline policy offers a rich case of district leaders’ sensemaking — a catalyst for collective and strategic action that shapes social change processes within education.

Incumbents, challengers, and governance units tell of the dynamics of stability and change within a strategic action field. Incumbents, according to Fligstein and McAdam (2012), are field actors that enjoy disproportionate power and influence within a given field. As such, their views often predominate within a given field and are reflected in the manner in which the field is organized. The existence of shared meanings against the backdrop of dominant incumbents, then, may “legitimate and support their privileged position within the strategic action field” (Fligstein & McAdam, 2012, p. 13). On the other hand, challengers are those within the strategic action field that “occupy less privileged niches within the field and ordinarily wield little influence over its operation” (Fligstein & McAdam, 2012, p. 13). Given their less powerful positions, challengers can “be expected to conform to the prevailing order, although they often do so grudgingly, taking what the system gives them and awaiting new opportunities to challenge the structure and logic of the system” (Fligstein & McAdam, 2012, p. 13). While incumbents and challengers exist in all fields, some, but not all, fields contain internal governance units. Internal governance units oversee field compliance with rules and they often oversee the “smooth functioning and reproduction of the system” (Fligstein & McAdam, 2012, p. 14) — or, the reproduction of the status quo. The theory of fields clarifies that internal governance units emanate from within the field and are “distinct from external state structures” (Fligstein & McAdam, 2012, p. 14) not within them.

Social skill and the existential function of the social is a micro foundation of the theory of fields and the idea that actors, “create and sustain social worlds by securing the cooperation of others” (Fligstein, 2001a; Fligstein & McAdam, p. 17). This rests on the belief that actors possess a “highly developed cognitive capacity for reading people and environments, framing lines of action, and mobilizing people in the service of broader conceptions of the world and themselves” (Fligstein & McAdam 2012, p. 17). Fligstein and McAdam (2012) note that in order to exercise this capacity, actors must be able to “get outside of their own heads” (p.17) to formulate conceptions of the broader social environments that they inhabit. The theory of fields

describes social skill as being cognitive, empathetic, and communicative in nature. District superintendents arguably exercise these skills as they fashion their day-to-day work to establish district organizational cultures. According to Fligstein and McAdam (2012), “actors who undertake strategic action must be able to use whatever perspective they have developed in an intersubjective enough fashion to secure the cooperation—willing or otherwise—of others ” (Fligstein & McAdam, 2012, p. 17). In seeking to better understand what drives the construction of perspective or understanding, why actors within education resist or relent to various reforms, this case study examines the micro-subjective beliefs and sensemaking processes among district leaders. Research must determine what *sense* district leaders made before “[taking] to the role of the other as a prerequisite for shaping broader conceptions of the collective rooted in an emergent worldview and shared identity (Fligstein & McAdam 2012, p. 18).”

The theory of fields distinctly considers *the broader field environment*, which looks beyond the internal workings of a strategic action field. The theory considers the ways in which fields—distant and proximate, dependent, interdependent, and independent, state and nonstate—are embedded. It is the existence and strength of the links and ties between these respective fields that matter to this theory. Distant fields are those that lack connection to the strategic action field. Proximate fields are those fields that are routinely in contact with the strategic action field in question. It is the “recurring ties to [proximate fields] and actions” (Fligstein & McAdam, 2012, p.18) that may reverberate and affect the strategic action field in question. Independent fields, which constitute the majority of strategic action fields, are said to not affect each other whatsoever (Fligstein & McAdam, 2012, p.19). Conversely, interdependent fields sway more or less *equally* in power and interactions. According to the theory of fields, state fields and their actors, “have the formal authority to intervene in, set rules for and generally pronounce on the legitimacy and viability of most non state fields.” (Fligstein & McAdam, 2012, p. 19). States, then, have considerable power to, “affect the stability of most strategic action fields” (Fligstein & McAdam, 2012, p. 19)

Exogenous shocks, mobilization, and the onset of contention encompass the disruption of stability and promoters of change within a strategic action field. Major destabilizing shocks outside of the field may penetrate the field if there is an interdependence between the field and the broader environment (Fligstein & McAdam, 2012). Destabilizing shocks create opportunities for challengers to alter the rules of the field and gain more influential field positions. And yet, incumbents are said to possess advantages as they are strong and positioned in advantageous ways that may withstand these pressures. The leveraging of material resources, existing alliances, and other incumbent advantages, however, may or may not suffice in preventing an episode of contention.

Episodes of contention are those “emergent, sustained [and] contentious” give-and-take interactions between field actors “utilizing new and innovative forms of action vis-a-vis one another” (Fligstein & McAdam, 2012, p. 21). When the field enters a period of crisis, a shared sense of uncertainty proliferates as a novel approach to action is considered. *Settlement* occurs when the status quo is either reasserted or when it is “refurbished” (Fligstein & McAdam, 2012, p. 23) through oppositional mobilization . The resulting reinforced structures, norms, and rules are those that prevail following episodes of contention. In this study, the strategic action field of

school discipline entered a period of crisis when state legislation began to shift from punitive to positive educational policies. While legislative action may beget local changes to behavior, this study shows that the road from policy enactment to implementation is a long one, mediated by local sensemaking and nuanced strategic action responses.

Sensemaking

The shift from punitive (i.e., zero tolerance) to positive (i.e., alternative) school discipline educational policy can be likened to a major pendulum swing across the state of California's policy landscape. Pulling back from decades of federal, state, and locally institutionalized zero tolerance or punitive school discipline educational policies, the school discipline pendulum swung towards alternative and more positive approaches. The initial state ban (Pupil discipline, 2014) on suspensions for willful defiance arguably came as a shock and disruption to longstanding organizational procedures. But how exactly did local behavior change in response to this new state directive? In what ways did sensemaking undergird administrative perceptions and strategic action related to the adoption of alternative school discipline policies at the district-level?

Sensemaking is regarded as a cognitive process or exercise that involves taking information, framing that information, “and using it to determine actions and behaviors in a way that manages meaning for individuals” (Evans, 2007, p. 161). Specifically, sensemaking “involves turning circumstances into a situation that is comprehended explicitly in words and that serves as a springboard into action” (Weick, Sutcliffe, & Obstfeld, 2005 p. 409). Sensemaking theory, when paired with the theory of fields, helps analyze the social, strategic, and environmental factors that mitigate the implementation of educational policies. Weick (2003) advances seven characteristics of sensemaking within organizations. The process of sensemaking is: (a) grounded in identity construction, (b) retrospective, (c) enactive of sensible environments, (d) social, (e) ongoing, (f) focused on and by extracted cues, and (g) driven by plausibility rather than accuracy. These facets are employed by actors further considering (a) the situation, (b) task, (c) intent, (d) concerns, and (e) calibration (Weick, 2003, p. 15). Sensemaking, then, “results in an articulation of meaning that proceeds into action, and meaning and action continue to unfold iteratively” (Weick et al., 2005, p. 413 as cited in Walls, 2017, p. 4).

The theory of sensemaking has been widely applied throughout the organizational literature to determine how actors make meaning within their organizations (Weick, 1995, Weick, 2009). Sensemaking considers the ways in which individuals interpret organizational realities, determine appropriate behaviors, and ascertain viable ways to succeed (Thornton, 2004). While sensemaking theory is varied in its conceptualization—including differences in content and modes of operation—there is a general consensus that “sensemaking concerns the process by which people endeavor to achieve coherent, plausible understanding of the meaning of their situation” (Fellows & Liu, 2016, p. 582). Sensemaking examines the way actors, embedded within their organization and broader environmental contexts, “make meaning of events and use this meaning to inform action” (Allbright et al., 2018; Weick et al., 2005). As such, sensemaking theory provides insight into the “continuous, ambiguous, complex and equivocal dynamics” of

district-leaders and their existence within their respective strategic action fields (Brockmann 2011; Weick et al. 2005; Fellows & Liu, 2016 p. 582).

The literature reflects two differing ontological viewpoints regarding sensemaking theory. Some traditions view sensemaking as a process that is strictly cognitive in nature, one that occurs within the individual and her psyche. In this tradition, actors rely on cognitive frameworks, schemas, mental maps, and interpretive frameworks to make meaning (Fellows & Liu, 2017; Labianca, Gray, & Brass, 2000). Others view sensemaking as an iterative process based on social interactions that occur between and amongst individuals. In this tradition, the dominant discourses and power structures are important and give shape to the sense that is socially constructed and shared (Helms Mills, Thurlow, & Mills, 2010). Because scholars emphasize that sensemaking is context specific and value-laden (Evans, 2007) this study relies on both views, but draws primarily on socially constructed sensemaking.

Sensemaking studies in education tend to focus on sensemaking situations that involve moderate changes and changes over sustained periods of time. In education, the theory is primarily used to discern how teachers and school leaders make sense of and respond to new educational policies. For example, studies examine how teachers make sense of and implement new systems of standardized testing (Louis, Febey, & Schroeder, 2005 as cited in Walls, 2017) and how teachers and school leaders make sense of reading instruction (Coburn, 2005). Sensemaking is useful in that it enables us to understand how actors within an organization may hear and interpret a policy message quite differently depending on their place within it (Spillane, Reiser, & Reimer, 2002). The divergence in interpretation points to meta-social factors that govern sensemaking (Walls, 2017). While sensemaking studies may illuminate the relationships between principals and teachers (Coburn, 2005), this study illuminates the sensemaking of superintendents and district leaders—those charged with implementing alternative positive school discipline policies and mediating state directives to local educational institutions.

Methodology

To illustrate the process of sensemaking in the strategic action field of positive school discipline reform, this study drew on data from a larger qualitative case study and developmental evaluation of efforts to support and promote positive school discipline educational policy in California's Central Valley.² This study employed a qualitative case study design to examine the interview responses of 25 superintendents and district leaders across 14 districts in one California region, taking "an approach to research that facilitates exploration of a phenomenon within its context ..." (Baxter & Jack, 2008, p.544). According to Yin (2003), a qualitative case study design is best utilized when a research study seeks to answer *how* and *why* questions. The qualitative case study design benefitted this study enabling greater exploration into *how* superintendents made sense of alternative positive school discipline interventions, *how* players, ideas, and signals showed up in the strategic action field for district leaders, and *why* this mattered in the adoption and implementation of the reform. Because a central goal of this case

² The broader study collected data to gauge the effectiveness of a regional professional learning community (PLC) that focused on the topic of positive school discipline educational policy, and to determine whether a shift from punitive to positive school discipline was occurring in the Central Valley. Data were collected by an interdisciplinary team of four researchers.

study was to describe a phenomenon in its real life context, the case study can be said to be descriptive in type (Yin, 2003). The case study is also intrinsic “because in all its particularity and ordinariness, the case itself is of interest” (Stake, 2005, p. 445) to the field of educational policy and contributes to theory building in education research more broadly.³

Participants

The participants in this study comprised a panel of district leaders from the Central Valley. They included superintendents and district leaders who witnessed the statewide shift from punitive to positive school discipline educational policy, and oversaw the local adoption and implementation of the policy. As such, they “were uniquely able to be informative because they [were] experts in an area [and] were privileged witnesses to an event” (Weiss, 1994, p. 17). The superintendents and district leaders in this sample were instrumental in answering the present study’s research question. Moreover, their status as positive school discipline grant seekers from a private foundation and willingness to participate in the original school discipline study are factors that signaled a degree of individual sensemaking regarding positive school discipline educational policy.⁴

Place

This study sampled the Central Valley region of California as its research site, which enabled research insight into sensemaking and strategic action fields that support predominantly minority, low socioeconomic, and educationally disadvantaged students (Miles and Huberman, 1984). Data released by the Office of Civil Rights revealed that California’s Central Valley contained some of the highest rates of school discipline and disproportionality in the state. Analysis of that data revealed that in 2013–2014, the County Office of Education with the highest rate out of school suspension (OSS) rate was located in Merced County, at 88.6 suspensions per 100 students (Losen, Keith, Hodson, Martinez & Belway, 2015). The fourth highest OSS rate in a County Office of Education was found in Fresno County, at 54.0 suspensions per 100 students. With regards to racial disproportionality, Dos Palos Oro Loma Joint Unified had the highest suspension rates for Black students in California, at 74 per 100 students (Losen et al., 2015). Moreover, Kern County in the Central Valley reported suspension rates at four times the state average and expulsion rates over seven times the national average (Ferris, 2012). Perhaps relatedly, a health advisory in 2013 reported that one city in the Central Valley contained the highest rates of *disconnected youth* in California—those young adults not working or in school (KidsData Advisory, 2013).

³ This study sampled the Central Valley region of California as its research site, which enabled research insight into sensemaking and strategic action fields that support predominantly minority, low socioeconomic, and educationally disadvantaged students.

⁴ The original study utilized district superintendents as informants of the school discipline educational policy landscape. Interviews with superintendents revealed macro-objective social processes related to law, technology and language in addition to macro-subjective processes related to culture, norms, and values within the region. Moreover, because district superintendents are elected, they are positioned to implement positive school discipline educational policy deliberately, with knowledge of the strategic action field and its local context.

Within two years, the region rapidly adopted and formalized positive school discipline interventions. Targeted funding from the state's Local Control Funding Formula (LCFF) and positive school discipline school climate grants from private foundations created a major opportunity to finance school discipline reform in the Central Valley. Indeed, it was found that the LCFF "provided for permanent budget adjustments that allowed school district administrators to hire additional school psychologists, behavioral health professionals, big sisters and big brothers, and veteran teacher coaches, as well as pay for release time for teacher collaboration" (Frampton et. al, 2015). Furthermore, one private foundation invested in targeted positive school discipline intervention to create a movement toward positive school discipline in the Central Valley. Coupled with the passage of statewide positive school discipline legislation, suspension and expulsion rates in the Central Valley experienced rapid initial declines.

Data and Analysis

This study drew on semi-structured interviews with 25 superintendents and district leaders across 14 Central Valley school districts in California. Where superintendents were not available for an interview—or did not handle positive school discipline educational policy—administrators in charge of researching, adopting, and implementing positive school discipline educational policy for the district were interviewed in their place. Interviews covered four main topics including the shift from punitive to positive school discipline, the current state of school discipline in the Central Valley, the effects of one regional professional learning community on the topic of school discipline, and school culture and climate more broadly. The districts ranged in size from containing fewer than six schools to over 25; districts were located in urban, rural and semi-rural settings, which lent representativeness to the sample (Creswell, 2002). The interviews were conducted in person or by phone and lasted approximately one hour. Interviews were audio recorded and transcribed, and in certain cases where audio-recording was not possible, thorough interview notes were taken and typed into a meeting memorandum. All non-audio recorded note-taken interviews were conducted in person and by the same researcher. All phone interviews were conducted by the same researcher.

For this study, I drew from interviews with superintendents and district leaders—those individual actors at the helm of district-level policy implementation—and available documents that could corroborate or triangulate their positive school discipline implementation narratives. This study focused on superintendents and district leaders because the literature has traditionally viewed them as policy implementers, distinct from those regarded as policymakers, such as school board members (Pollard, 2012). This rationale—and my study's objective to better understand individual sensemaking processes and contextual field-factors affecting the implementation of positive school discipline educational policy—justified my decision to bind the study in this manner.

Grant applications and reports related to positive school discipline educational policy funding were obtained from the granting organization and were used to triangulate the interview data and primarily discern general field-level patterns of activity and inactivity, and trends related to positive school discipline adoption and implementation. Grant applications were reviewed alongside grant reports mainly to understand district priorities—what positive school

discipline educational program the district had proposed to obtain funding and commitments, and what positive school discipline educational policies, programs, activities, if any, had occurred. However, the patterns observed were of limited utility in this regard as the grants varied in size and some interviewees were not aware of the grants within the district or had not spent the money. These documents, then, were mainly used as confirmatory evidence of the interview narratives.

Data analysis for the present study constituted a dialogical exercise between knowing the data set and re-searching it to go beyond what was already known (Gafoor, 2008). I began the data analysis exercise by printing all relevant interview transcripts, memos, meeting observations, and grant reports. Printing, sorting, and reading through all of the material allowed me to assess the quality of the data anew (Poland, 2002). As I read, I simultaneously reduced the data set by removing extraneous documents, I also pre-coded documents on paper, circling, underlining, and highlighting important information (Layder, 1998), jotting down instances and words that represented, “codeable moments” (Saldana, 2016, p. 20). In reducing the data set, I kept only interview data and grant documents. This data corresponded directly to districts and superintendents and revealed superintendent values, beliefs, perceptions, and additional information that could map out the strategic action field. Grant documents enabled triangulation of data sources.

All interview transcripts were then uploaded and coded using the software program Dedoose. I coded the transcripts primarily through values coding— “the application of codes to qualitative data that reflect a participant’s values, attitudes, and beliefs, represent his or her perspective or worldview” (Saldana, 2015, p. 131). Values coding aligned directly to my research questions, which focused on how superintendents read, perceived, and experienced the shift from punitive to positive school discipline across their strategic action field.

Limitations

All participants in this study received grants from a private foundation to support their positive school discipline efforts. However, the grants varied widely in amount and the manner in which districts utilized their grants was not the focus of the interview. In fact, several of the participants were not aware the district had received grant funding or were aware but had not yet used the money. Moreover, district superintendents reported additional and more significant sources of funding that enabled them to start or expand their positive school discipline work. The present study and grant-receiving timeframe happened to coincide with a targeted statewide finance reform intervention, the LCFF, which provided the area with additional monies to support its students and district accountability structures to address disparities in school discipline via their Local Control and Accountability Plans (LCAP). As such, the participants in this study represented average grant-receiving, positive school discipline educational policy implementing districts within the Central Valley region in California. Because of this, their status as grantee districts by one private foundation did not pose a major limitation.

Findings

The superintendents and district leaders in this study came to define and understand positive school discipline largely in terms of two mainstream interventions. All administrators reportedly adopted either RJ (three out of 14 districts) or PBIS (three out of 14 districts) as a positive school discipline intervention at the district level, with some utilizing both approaches (eight out of 14 districts). Administrators overwhelmingly cited their desire to comply with state law both as the reason why school districts had adopted a tough stance on school discipline and why they were in the midst of reforming. Administrators shared a common, catalyzing belief and narrative that illustrated the failure of school discipline. While administrators considered themselves passive mediators of the reforms, they demonstrated an active role in mediating policy strategically within their districts.

Perceived Pressure and Perceived Resistance to Reform

Superintendents and district administrators overwhelmingly cited their desire to comply with state law both as the reason why school districts had adopted a tough stance on school discipline and why they were in the midst of reforming. Most administrators shared that the state had first pressured school districts to take a tough stance on school discipline through the adoption of punitive zero tolerance policies in the 1990s. Given the unintended consequences that had resulted, the state had at the time of this study recently shifted toward positive school discipline. Administrators with long tenures in the districts witnessed the state legislature build up and tear down punitive school discipline through the education code. As one administrator put it, “For the last 12–13 years zero tolerance was mandated and schools had no choice but to [suspend]. In the last 2–3 years, there is a new policy.” Another administrator further explained the changes and what they meant for district actors, saying:

I’ve seen a big cycle. I’ve been here since 1991. I was here when we experienced Columbine. The state passed all these laws on zero tolerance. I remember back in the old days, we expelled a lot of kids. Our district expelled close to 300 kids a year. It could be a knife, a knife in a car, it could be weird little things that looked like weapons. Or a kid got in a weird situation. A teacher would grab a skateboard out of a kid’s hand, the kid pulls back, the teacher says, “he cut my hand.” But back then the state was giving a message that you had to do that to protect the safety of everybody.

In explaining how administrators carried out school discipline directives from the state, however, participants failed to discursively acknowledge the legislative discretion afforded to them in implementing both punitive and positive approaches. “What’s happened over the years is that you get conditioned. ‘This is the way it is’ until you get some good ideas and the urgency comes,” one shared. By and large, administrators described themselves as passive policy brokers, mediating punitive or positive directives from the state down to the local level, as directed.

More than half of the district administrators felt the strongest pressure to reform school discipline from changes in education policy by the California state legislature. For most, this pressure was experienced as a top down imposition with the enactment of Assembly Bill 420 (AB 420) occasioning the greatest shift in local policy and practice. AB 420 amended California’s Education Code section 48900(k), banning suspensions and expulsions for willful defiance in grades K–3 and K–12, respectively. Although administrators referred to the willful

defiance ban by using the diminutive “k” or “little k” they regarded it as the largest school discipline reform the districts had ever experienced. As a result of this shock, administrators were forced to ensure that district policies and practices were quickly changed to comport with the law and that members of the organization were educated on all changes.

One administrator read the broader policy environment to anticipate state-level positive school discipline reforms. He used this sensemaking strategy to motivate district changes before the state would actually require them. For instance, the administrator bolstered the districts’ school discipline data collection efforts and re-wrote the districts’ conduct code in the likeness of AB 420 before the state legislation was enacted. The strategy enabled him to buffer the district from jarring top-down state action. The administrator explained that by reading the broader policy environment to detect changes, he bought time and was able to conduct preliminary conversations with his district. He shared:

There’s a legislative direction. Myself, I saw that direction coming about three years ago. I started seeing the writing on the wall, and I started talking to my safety committee and saying, “Look, it’s gonna come out down the road. We need to be ahead of the curve. We need to start looking at what we can do to start addressing the issue of [school] discipline, the issue of suspensions, expulsions”...That’s when we started having discussions on strategies. “What shall we bring in?”

This quote demonstrates how the administrator played an active role in mediating policy change and demonstrates his awareness that the district might initially resist the shift from punitive to positive school discipline. About one fourth of administrators indicated that they had started to prepare for the shift toward positive school discipline, guided by local efforts, about five years prior to the time of this study.

In addition to the state pressures, about half of the administrators detected pressures to reform from the broader local field environments. County Offices of Education were primarily recognized for keeping districts abreast of statewide changes, sustaining and motivating positive school discipline reform. Administrators reportedly experienced pressure from the U.S. Department of Education Office for Civil Rights’ (OCR) data collection, the availability of federal school climate grants, and the work of civil rights organizations. An interview with one administrator revealed, “We know the American Civil Liberties Union, [and] Office for Civil Rights are looking [and have to act].” Another expounded:

We know the direction the state’s going in and the directive they’re [giving to] the schools. “You need to reduce the number of students you’re suspending.” The other reason is that we did look at our suspension rates and we started realizing that [they] were high.

Indeed, the pressure to reform school discipline was layered and mounting.

About one fifth of superintendents and district leaders cited local civil rights organizations, such as the Dolores Huerta Foundation and the National Association for the

Advancement of Colored People as on-the-ground monitors and enforcers of the reforms. One administrator shared, “We haven’t had any big expulsion cases where there was a big community group involved in three or four years. Like marching up and down the superintendent’s hallways, ‘We want justice.’ We haven’t had a big case like that.” The administrator shared, “I’m not saying [the civil rights groups are] happy, because they’ll probably say we need to do more,” he added, “Maybe they see that things are going forward rapidly and they’re satisfied, I guess.” For this administrator, the civil rights organizations provided oversight and monitoring for the adoption and implementation of positive school discipline. The speed at which reforms were adopted and implemented remained important.

Superintendents and district leaders experienced state-level policy change differently, affirming that districts and their respective leaders are not monolithic. Even within the confines of the Central Valley, the reform unfolded across highly localized environments and through individualized approaches. For some administrators, the state-level changes were viewed as “a reprieve from previous zero tolerance state policies that they disagreed with” (Frampton et al., 2015, p. 3). As one administrator shared:

I think the state is the one that pushed the zero tolerance. They mandated that with all the laws that were in place. And once they released it, I don’t feel like the district feels like, “We have to do this because it’s state-mandated.” I think the district does it because we want to do it. Now the state laws are relaxed, and we’re trying to do that as much as we can [moving towards positive school discipline].

On the other hand, others said the changes in state law were necessary to compel the compliance of adults who resisted the notion of moving away from punitive towards positive school discipline. “We have some compliance in certain areas of our district right now that’s gone as far as it’s gonna go,” one administrator explained, “now it’s time to get to the belief before things will get better.” The notion that compliance would come before belief suggests that teachers or staff may have had some resistance against the reform, from the perspective of administrators.

Superintendents and district leaders who perceived their district and school cultures as resistant to the reforms regarded the changes in state law as “helpful” in challenging taken-for-granted beliefs that became normalized through state-driven and locally institutionalized punitive school discipline policies. For others, the changes in state law had formalized the approaches that districts had previously set in motion to reduce suspension rates. One administrator shared:

I see people dig their heels in, I see that a little but, but the reality is that there are a lot of things right now that help us move the agenda. The changes in school law that have occurred in the last three years are very helpful. There’s [sic] a lot of people out there who, while they don’t want to do an idea [like positive school discipline], if the law is promoting it or the government is promoting it, they’re more likely to at least mourn what they thought should have been done and slowly begin to move on. The government and the legal system have helped us greatly in enabling us to do this work. I can always say, “The law doesn’t allow us to do that. The law says we have to do that.” And people are

like, “OK, I guess I’ve got to make my peace with that, because I don’t want to break the law.

In some ways, administrators situated the law as a sword to compel the local implementation of district policies that comport with the state educational law and as a shield to reject the use of punitive and taken for granted school discipline policies and practices.

Shared Narratives Catalyze Action

All superintendents and district leaders asserted a common narrative and belief that punitive school discipline policies “were not working” (Frampton et. al, 2015, p.1) For some administrators, this meant that students were misbehaving in ways that would earn them suspensions as a way to stay home from school. Turing these circumstances into words, sensemaking paved the way for the creation of perceived appropriate responses and actions. One administrator explained, “There’s ways to correct action that doesn’t give [students] what they want. Most of the time they want to be suspended. That’s the last thing I’m going to do.” Others believed that some teachers were unwilling or unable to engage with misbehaving students in the classroom and repeatedly sent students to the office for punishment. One administrator shared, “I used to have a teacher who would come in and say, ‘I want you to drop the hammer’...I still have a few staff members who are...*we all grew up with a punitive system* [emphasis added].” Together, administrators overwhelmingly questioned the logic behind suspending students for being truant or tardy, in which case, being out of school would generate an out-of-school suspension for a student. In select instances, administrators alluded to or shared perceived sociocultural incongruities between teachers and students that resulted in tension, misbehavior and or punishment. These examples demonstrate the range of problem definitions that existed with regards to school discipline in the districts, which ultimately shaped administrators’ approach to “the discipline problem.” According to all superintendents and district leaders, their school discipline policies did not work as intended. It can be inferred that these were only some of the many ways that punitive school discipline had failed to work in the schools as captured by the limited scope of the interviews. Over the years, the cumulative effects of these and other failures had resulted in heightened suspension rates and lost instructional time for Central Valley students.

Administrators Discuss Strategy, “What Shall We Bring In?”

Although administrators varied in the interventions they pursued and the manner in which they implemented them, all administrators invoked the prevailing logics of PBIS. Of the 14 districts, three reported the use of PBIS, three reported the use of RJ, and eight reported the use of both PBIS and RJ, combined. County Offices of Education were cited as the greatest source of information for an overwhelming majority of the administrators. In addition, administrators credited one particular County Office of Education with sustaining positive school discipline work for some districts in the area of PBIS for over five years. Although some administrators reported engaging with positive school discipline approaches over the past few years, an overwhelming majority pointed to the state-level work as “helpful” in moving their work along.

At least three administrators attempted to research and implement positive school discipline alternatives independently. These administrators ultimately relied on local resources for guidance on implementation, enacting their boundary spanning roles in different ways. They reportedly heard about positive school discipline approaches and proceeded to research the alternatives online and then implement them without any training or technical assistance. One administrator shared that he felt empowered to “google” the interventions and try them on his own. “Obviously, I have a network of resources here that send me information,” another administrator shared. In researching positive school discipline approaches, self-taught administrators read articles, browsed websites, and pulled from online toolkits and other repositories of information. At least two administrators cited use of a website from the University of Missouri complete with manuals and resources. With regard to this website, one administrator shared, “we receive a lot of technical assistance from them without them even knowing it.” Most administrators mentioned reading one of two books published by local consultants on the topic of positive school discipline. Acknowledging the influx of field-level positive school discipline resources in the Central Valley, one administrator said:

You find different [positive school discipline] resources. Next thing you know, the people who supply the resources start to create new resources. They felt the demand, they felt that there needed to be a better supply [of positive school discipline resources].

Regional consultants were hired to offer advice on the approaches that were taking hold throughout the Central Valley, evidencing a highly localized approach to the reform; only two consultants appeared to be from outside of the region. One superintendent shared, “[consultants] take a look at what the other schools are doing and then they offer advice. They look at the program [and see] what’s goin’ on.”

Administrators Seek a Standardized Template to Follow

When asked what state-level or other supports could have further helped administrators in their search for or implementation of positive school discipline, administrators eagerly expressed their desire for routinized, clear cut “plug-and-play” approaches to implement positive school discipline. That is to say, administrators desired a standardized template to follow. A number of administrators were frustrated by available workshops and trainings that focused on getting “buy-in” from district leaders instead of sharing best practices, which is what they desired. As one administrator shared:

I would like to see the *systems*[emphasis added], less maybe of the philosophical — ‘cause I’m already on board. You’ve got me on the philosophy part of this, so we could probably use less of tryin’ to get buy-in. Everybody who goes to these [professional learning community] meetings takes an entire day, which for us means my desk will—nobody comes in to sub. So when we take a day off, I want to say, ‘What can I take back starting Monday and implement Monday? Just like a teacher. What can I throw in my classroom starting Monday?’”

Many administrators belonged to districts that participated in a professional learning network on the topic of positive school discipline reform in the region. Twelve of the 14 had earned grants from a private foundation to implement positive school discipline reform. Almost all administrators voiced this common narrative that having a “systems approach” would be most useful.

Targeted Funding Creates a Rushed Opportunity in the Central Valley

As the pressure to adopt positive school discipline mounted, school districts in the Central Valley simultaneously benefited from increases in district funding. The greatest funding came from the state, through a parallel school finance reform that significantly and permanently expanded district operating budgets. The Local Control Funding Formula provided funding in the million dollar range to school districts in the Central Valley, providing additional funding to districts with low-income students, English language learners, and foster youth. Although administrators in this study were never explicitly asked a question about funding or the LCFF, more than half of them cited the LCFF as a significant enabler of their districts’ positive school discipline efforts (Frampton et al., 2015). As one administrator shared, “we’re having all these initiatives going on at once which the Local Control Accountability Plan has helped us with. Before we had one truancy officer for our entire district of 27,000 kids.”

Given that the LCFF funding was significant and sustained, it “provided for permanent budget adjustments that allowed school district administrators to hire additional school psychologists, behavioral health professionals, big sisters and big brothers, and veteran teacher coaches, as well as pay for release time for teacher collaboration ” (Frampton et. al, 2015, p. 4). One administrator reported the hiring of 25 classified positions, which were strategically placed at elementary sites, “to do early intervention.” From these interviews, it remained unclear how each additional hire was incorporated into the differing positive school discipline approaches.

The Central Valley also benefited from targeted positive school discipline grants from a private foundation and various other culture and climate grants were reported. According to the administrators and select grant reports, grant funding was used to cover basic training, the cost of substitute teachers, and to purchase posters with school-wide behavioral expectations. In some cases, grant money was earned but not spent for lack of clarity on what technologies to spend it on. School culture and climate grants were popular sources of information and money in the Central Valley. Districts reported school climate grants through the federal government as well, “This year we also see the bigger grant, the \$750,000 a year grant for five years to continue the efforts for PBIS,” one administrator shared. In some districts, the grants sustained positive school discipline staff and on-campus mediation rooms. In other districts, the money was used to purchase positive school discipline posters and student rewards for good behavior.

Combining Old and New Logics

District leaders became attuned to the prevailing logics of their external environments in responding to the demands from the state to reform school discipline policies and practices. As previously indicated, PBIS was reportedly implemented in 3 of the 14 districts represented in this

sample. RJ was reportedly implemented in 3 of the 14. A combination of PBIS and RJ was reportedly implemented in 8 of the 14 districts. However, it was unclear from the interviews what constituted policy change under each reported approach. Indeed, with the exception of one district, administrators largely described their positive school discipline reforms as an amalgam of both PBIS and RJ approaches. For instance, unable to articulate the mechanisms of each approach, one administrator shared, “We’re a big district, so I think the philosophy includes everything...I’m not trying to separate it all out.”

Punitive logics were often blended or woven into the new positive school discipline approaches showing that multiple incompatible logics were able to coexist within these districts. Some administrators demonstrated an awareness of the punitive and positive hybridity, lamenting that their initial positive school discipline “models” or approaches had maintained “in-house-suspension-rooms.” Upon reexamination of their prior beliefs and district actions, superintendents admitted that while initial models of RJ made sense at the moment of adoption, they were not truly restorative upon implementation:

The one we adopted is partly restorative, there’s elements of it that are restorative, but in-school suspension classes is clearly not restorative. But it sounded good and it looked good on paper. [laughs] You have to try something to find out why it’s not the best solution.”

This sentiment was outright reflected in at least one third of the interviews.

In many cases, administrators normalized punitive logics of law and order in their discourse on the use of on-campus law enforcement, surveillance systems, student transfers, drug-sniffing dogs, and the informal search and seizures. In one instance, an administrator described the use of a new system intended to provide anonymous reporting of “bullying, theft, drugs, [and] conflict” for the district. The administrator shared, “It’s one of the systems that are in place that good kids who are tired of seeing other kids destroy a school are saying, ‘Enough.’” He added:

I think we’ve turned the page on what we’re doing with kids. Now kids—the mentality used to be snitches get stitches. Don’t tell anybody. Now we have a system...You can click on it with your phone, it takes you right to the website, and you can do an anonymous report. Any kind of report. So if kids are worried about being confronted after [reporting in person] they say, “Hey, I saw this goin’ on in my class. I thought that was disrespectful to the teacher,” they leave an anonymous tip. We follow up on it. We tell the kids, “There’s a report that you were stealing somethin’ out of the teacher’s desk. I need you to empty your pockets.” It’s kind of like [the city program] CrimeStoppers, except we don’t pay them \$1,000 upon arrest.

For the most part, administrators reported minor problems with misbehavior: students were late to school, “defiant, not doing their work, [disruptive], yelling out, disturbing the educational environment.” No serious instances of vandalism or theft were reported throughout the interviews. Approximately one sixth of administrators reported a perceived influx of marijuana

on campus. Administrators surmised the influx had something to do with greater medical marijuana use in homes. Moreover, the mechanisms and of punitive discipline were described in detail, from surveillance systems, to punitive norms and beliefs.

While violence was not frequently reported as an overwhelming concern, it was used to demonstrate the difficulty in addressing contradictory demands placed on administrators such as school safety and exclusionary discipline. Superintendents and district leaders all exhibited difficulty and frustration in responding to complex school discipline cases. As one administrator shared:

So you'll get a whole bunch of different perspectives. Anyways, that to me is [difficult] — and from when I talk to principals, it's like, you go, "we're doin' all this stuff, and we've got this kid, and he just wants to go punch someone's face in." What do you do? It becomes a safety liability at the school, and you're almost feeling like you open up to liability. You're like, "What are we gonna do with this guy?" You try not to kick him out, but sometimes there comes a point where the safety of the other students take priority over helping this one student.

In making sense about the contradictory demands and perspectives, one administrator shared:

"What's been interesting over the last four or five years is, we've had some good reductions in suspension rates. We've kind of picked the low-lying fruit, so to speak. We've done the easy work of, maybe we won't [suspend] on the first offense, We've done all that. Now we're doing the deeper level of cultural work..."

The perception that administrators had "done all they could do" in terms of complying with the reform was a common theme across interviews and suggested the need for school-level implementation case studies.

Perception that PBIS is the Favored Intervention by Adults

There was broad agreement among superintendents regarding the greater plausibility of PBIS' implementation. That is, superintendents understood that the implementation of PBIS was more acceptable than RJ because they defined the intervention as being focused primarily on changing student behavior, not modifying the disciplinary apparatus or challenging deep-seated beliefs about school discipline. The intervention focused on teaching and rewarding good behavior, which did not come as a radical departure from day-to-day school operations. As one superintendent explained:

PBIS formalized a lot of the things that we already did. For example, having clear expectations, teaching those expectations explicitly, making sure everybody knows them, having clear guidelines for teachers to know minor behaviors, major behaviors, what your role is, so we have a consistent discipline system.

Even so, one administrator shared his insight that only half of the districts in his county were actually doing PBIS, while at others, he revealed, "it is just a banner on the wall."

Superintendents defined PBIS as a preventative and educative positive school discipline intervention. PBIS was generally regarded as the first step or *framework* for achieving positive school discipline, “an overarching umbrella” of sorts. One administrator shared, “Our system for so long was ingrained in that wait-to-fail model but we’re moving out of that and into a preventive model with PBIS.” PBIS was overwhelmingly understood by superintendents as an intervention that taught students appropriate behavior and reinforced school expectations, by teaching and rewarding them:

[We did] lots of staff development, leaders share the new concept [it]—“changed from ‘you’re bad, go to the office,’ to teaching the appropriate behaviors in the classroom so that [students] don’t have to go to the office. We have posters in the bathroom that say what our expectations are, we have posters in the hallways that say what our expectations are in the hallways. We have bus bucks so that bus drivers can give out to students who are acting appropriately on the bus.” It all starts in the younger grades. Kids learn how they behave—how they walk in the hallways.

Administrators believed that PBIS could help fill behavioral gaps that stemmed from student deficits, including lack of self-awareness and simply “not knowing how to behave.” PBIS was touted as the most suitable classroom-level intervention, one that felt implementable within that setting. One administrator described the utility of PBIS in standardizing their positive school discipline work: “We had the pockets of teachers who would send kids to the office, but it’s those few percent that make up most of the damage. It’s nice to have a tool where we can make it *systemic* [emphasis added]. That’s what’s happening.” Administrators exhibited a preference for this approach because it was rational and standardized, from their perspective.

The mechanisms of PBIS varied widely according to administrators but included setting clear behavioral expectations, posting and reinforcing those expectations and incentivizing good behavior with tickets or “bucks” that could be redeemed for student privileges or prizes. It was less clear how schools and districts managed those students who continued to misbehave despite clear expectations and positive reinforcements (Frampton et al., 2015). Furthermore, there was a general consensus among administrators that students who misbehaved came from impoverished or dysfunctional families and thus, “did not know how to act.” Indeed, the way the administrators defined the school discipline problem had implications for how they addressed it and through what actions. Some administrators explained interventions that ranged from peer mentorship to district transfers and psychiatric referrals. Others focused on teacher interventions, which ranged from professional teacher training to hiring more experienced teachers as instructional coaches (Frampton et al., 2015). Administrators reported initial drops in suspensions after the adoption and implementation of PBIS, though it is unclear how the process of suspension reduction unfolded, particularly across teachers and principals in various school contexts.

Perception that Restorative Justice Challenges Long-Standing Punitive Beliefs

Administrators defined RJ as an intervention used to build relationships between students, teachers, and staff. In discussing the utility of the intervention, one administrator shared his belief that:

[students need to] have somebody on their campus who cares about them, who sees them as hopeful, bright, futuristic possibilities, who can develop [a] relationship with them so that they're not always being talked to when there's a discipline issue."

In this sense, RJ was defined and understood as an intervention that could avoid overly punitive and harsh discipline stemming from student adult disconnect. Some administrators regarded RJ as a community-wide issue and saw the RJ intervention as embedded within the broader social environment of the school. These administrators highlighted district relationships with local faith-based organizations, juvenile justice centers, city agencies, youth agencies, law enforcement, and community volunteers as supportive actors for the RJ intervention. From the perspective of all administrators, all school-level offenses could be handled with restorative justice if the offense was not sexual and if there was a victim.

Administrators agreed that the goal of RJ was to restore equity and justice in school discipline for misbehaving students and any victims, and to depart from overly punitive and harsh zero tolerance policies. Some administrators made it a point to differentiate restorative justice-- within the justice system and "restorative discipline" or "restorative practices" as implemented in schools. As one superintendent explained:

...truly restorative justice, which is in the justice system, [is] not necessarily restorative discipline, which is a better name, really, for what happens. We're not part of the justice system. You'll notice I don't use that term, restorative justice, I say restorative practices and principles of restorative discipline, because I don't want kids to think they are in a justice setting.

The restorative justice versus discipline distinction was particularly important for one district leader who faced resistance from administrators and teachers within a community continuation school. He shared, "There was some resistance at that time...people have belief systems that once a student arrives in a community [continuation] school, there's a little but not a lot that can be done. I personally do not believe that." Taking cues from their environments, some administrators employed the language of restorative "discipline" or "practices" as a way to define the intervention in a more acceptable manner. "There is work that needs to be done with the belief system of the adults," one administrator explained, "[t]he kids seem to appreciate the model. And most adults do as well. But one or two who don't can slow down the progress and actually undermine it."

Superintendents and district leaders commonly understood RJ as a *way of being*, unlike a prescribed step-by-step intervention. Administrators understood this fact as one of the reasons why the intervention was more difficult to implement than PBIS. In describing the difficulty of reforming ways of being through alternatives and prescribed approaches, one superintendent explained:

It's just at different age levels, different administrators, and different personalities that we see it working a little different, because like I said, it's on a pushcart and it's not a pushcart curriculum, it's more of a way of being.

Administrators reiterated that RJ was more difficult to promote because the intervention was about actually changing discipline, not merely changing student behavior. “Helping people...break the cycle of harm, that’s the whole restorative thing,” one administrator added.

So we’re moving in that direction. That’s a slow movement. You’ve got to get people to understand. It takes a long time for some people to get there, especially if they’ve experienced in their minds a lot of harm, because they’re struggling with dealing with it.

Administrators largely perceived the RJ intervention as one at the intersection of complex social-political will and interaction.

Superintendents and district leaders articulated the logics of RJ as “things like peer mediation, conferencing, all of those things to mend relationships.” Administrators noted that districts initially adopted the RJ approach primarily as a response to bullying. One administrator described, “We’re recognizing now that through restorative justice, ‘Let’s come back together, bully and victim. What caused the issue? What’s goin’ on? How else could you have solved it?’” By and large, the logics of restorative justice were deployed once a misbehavior or problem occurred, not before. As such, the intervention was not defined or understood as preventative, rather reactionary, in nature. Reflecting on the broader environment and the enactment of restorative justice, one administrator exclaimed, “This is [now the] new—I don’t want to say status quo, but this is the new expectation.” Indeed, administrators recalled the district sensemaking processes that included researching, having conversations, “hashing it out,” and hiring consultants to implement restorative justice models in the schools. In this way, administrators demonstrated socially constructed sensemaking that drew on cues from the social environment, comprising an iterative process building up to the adoption of the RJ intervention.

A Criminal Justice Ethos and the Rhetoric of Law and Order

Despite the reported adoption and implementation of positive school discipline interventions, all interviews with superintendents and district leaders revealed an undercurrent of punitive practices unfolding against a core criminal justice ethos. This finding was evidenced by the across the board use of penal language or rhetoric of law and order. Administrators reported positive school discipline practices that sounded punitive, retributive, and exclusionary in nature, with district leaders attributing punitive beliefs to school site staff. Additional evidence included a relatively unquestioned partnership and presence of law enforcement in schools, and other structural “exclusionary outs” including the reported practice of transferring problematic students to continuation or alternative schools, or shortening and modifying their school schedule.

The language of law and order and penal logics often made its way into the discourse that superintendents and district leaders used to describe school discipline in both the issue of misbehavior, and the remedy or intervention by which to address it. One illustrative example of this comes from an administrator who described the way he explained a particular form of restorative justice mediation to students. The administrator illustrated distinct scenarios where he played various roles in the mediation—no role, some role, or held all the power. The administrator reportedly explained to the students, “[In this scenario] I am the judge, the jury, and the executioner.” This approach was reportedly used to bring students to the mediation table,

where the students would need to engage each other or else the administrator would unilaterally decide their fate. Furthermore, the administrator shared his approach to dissuading on-campus fights, by threatening students with retributive measures:

We tell them, “If you fight, did you know that we arrest every kid who gets into a fight? That’s a violent act on school grounds, and that’s one rule we set for everybody. But when you go to court, there’s a \$500 fine. There’s also a \$500 fee for that. That fight just cost your family \$1,000. Can your family afford \$1,000 for you to do something ridiculous? You don’t even know why you’re fighting.” “No.” Then they feel what the steps [are] after—what kind of thing is gonna happen. It’s enlightening for the kids.

This administrator reported using this approach two to three times per week adding, “on a big week, maybe 12 to 15 times.” In reporting incidents to a local police department, the district placed the discretion in law enforcement to:

...do their own investigation, and whatever they do, they do. We don’t make them do anything or ask them to do anything. They determine, “Should I cite this kid?” If this was a serious fight, that kid’s gonna get cited and released to their parents. If it was a mild one, they don’t. They’d say, “We’re gonna let the school handle it. Their punishment will be enough.”

Furthermore, while drug prevention and rehabilitation programs were discussed in compassionate ways from the standpoint of addiction recovery, some administrators believed them to be most helpful in signaling to students “where a student would end up in three years [incarcerated]” unless their behavior changed.

While alternative and continuation schools confront a unique set of behavioral difficulties—distinct from traditional educational settings—their struggle to discern the right course of action regarding school discipline seemed to be amplified, according to district administrators. The struggle to incorporate RJ, for instance, became one of language and the meaning and values that were attributed to the term, *justice*. In practice, RJ was at times reduced to the assignment of campus beautification projects or the impending threat of more punitive punishment. One administrator, caught in the transition between the punitive model, positive school discipline, and a criminal justice ethos shared:

Prior to having the restorative model in place at all, we had our campuses segregated by gang affiliation. We stopped that and [into] our second year in our model, we said “we’re not gonna do that anymore.” We were literally transporting kids across the county so that they had a blue school and a red school. We said, “we are not gonna do that anymore.” We should help them get along... That’s been a huge paradigm shift for us. There’s also been resistance about that. People don’t know if they’d feel safe. We’re still in that process, because it’s a lengthy process in a small town to make a cultural change like that. I’m probably most proud of that change than I am of anything else.

Indeed, the rhetoric of law and order and a criminal justice ethos was reflected in this and most interviews.

“I Don’t Allow People to Believe That Here, They Can Believe That on Their Own Time”

All administrators expressed a common frustration with what they described as punitive, long-standing beliefs, which they attributed to school-site staff. Some teachers, according to district administrators, favored the old and “traditional” punitive system of school discipline. Several administrators expressed their view that while teachers had the right to favor the traditional model, they did not have the right to enact it if, “the organization no longer supports that model.” Indeed, when pressed on how those contradictory beliefs were reconciled, a number of administrators simply indicated that “those beliefs” were no longer *allowed* within the district or school organization. When pressed further, administrators revealed that in their view, it mattered that major differences existed between students and teachers in these districts. One shared, “it’s about understanding that sometimes a lot of teachers come from middle-class backgrounds with middle-class expectations, and our students we serve typically do not.” The theme of teacher student difference, middle-class expectations, and “otherness” was recurring across these interviews. Administrators attributed punitive personal beliefs to their school site staff but wanted to believe, and reported, that those punitive personal beliefs were suppressed within school-site roles.

Conclusion

This chapter finds that local district administrators confronted major pressures to reform school discipline locally. Along with the pressure to reform, Central Valley school districts encountered a rushed opportunity to implement positive school discipline through funding from the LCFF and targeted funding intervention from a private foundation coupled with local discretion to address school discipline through the LCAP. Uncertain of how to adopt and implement positive school discipline alternatives, administrators combined old and new logics, articulating and blending punitive and positive approaches, and ultimately devising novel ways to comply with the reforms. The superintendents in this study came to define and understand positive school discipline largely in terms of two mainstream interventions. All superintendents adopted either RJ or PBIS as a positive school discipline intervention at the district level, with some utilizing both approaches.

Administrators overwhelmingly cited their desire to comply with state law both as the reason why school districts had adopted a tough stance on school discipline and why they were in the midst of reforming. Administrators experienced state-level policy change differently, affirming that districts and their respective leaders are not monolithic. Even within the confines of the Central Valley, the reform unfolded across highly localized environments and through individualized approaches. As punitive school discipline policies and practices became destabilized, administrators throughout the Central Valley enacted their boundary spanning roles, pulling a barrage of resources from the broader environment into their local districts and schools. While 100% of administrators reported adopting and implementing PBIS or RJ, in many cases,

administrators normalized punitive logics of law and order in their discourse on the use of on-campus law enforcement, surveillance systems, student transfers, drug-sniffing dogs, and the informal search and seizures. Despite the reported adoption and implementation of positive school discipline interventions, all interviews with administrators revealed an undercurrent of punitive practices, the combination of school discipline logics—old and new—against the backdrop of a criminal justice ethos.

Chapter 4: A Cross-Case Comparison of High and Low Fidelity Positive School Discipline Implementation: Perspectives From Central Valley School Actors

Research on school discipline provides insight into the policies and practices that have come to replace zero tolerance—or punitive school discipline—in K–12 schools. A major theme in the literature is the pronounced racial, ethnic, and gender “discipline gaps” that emerge as early as pre-K and persist despite targeted reform interventions (Gilliam, 2005; Losen, Keith, Morrison & Belway, 2015). Research has likewise surveyed the effects of emerging alternative strategies broadly recognized as supportive or positive school discipline interventions. Despite these interventions, little is known about the local change process or *shift* from punitive to positive school discipline reform from the vantage point of local actors within their local educational institutions. Indeed, the literature has failed to explain the problem with school discipline in its “broader structural context, [and has failed] to specify the processes and the subjectivities that mediate between structural and legal forces and the behavior of school actors” (Hirschfield, 2008, p.79). Despite the widespread adoption and implementation of positive school discipline interventions, studies document the continued accrual of lost instructional time due to school discipline in the state of California (Losen & Whitaker, 2017). In what follows, I analyze collective sensemaking among 26 school actors—administrators, teachers and staff, with regards to positive school discipline reform across two California Central Valley schools. This research approach enables us to understand how actors make meaning and how that meaning shapes action in positive school discipline reform adoption and implementation at the school and classroom level.

To illustrate the process of sensemaking, this study explored the perceptions and actions related to the local adoption and implementation of positive school discipline by 26 school actors across two California Central Valley schools. This study focused on understanding the localized punitive-to-positive shift from the vantage point of its closest actors, including their varied definitions of the modes and mechanisms of positive school discipline. Using sensemaking theory, this study provides insight into the local perceptions and actions that led to high and low fidelity of Positive Behavior Intervention and Supports (PBIS) and Restorative Justice (RJ) implementation in one high school and one middle school. This study analyzed interviews with nine school-level administrators, 14 teachers, and three staff members. It also analyzed full-day school-wide observations, classroom observations, passing period observations, and publicly available school discipline data.

This study found differences in the school discipline models and mechanisms as articulated between school administrators and teachers. In the school with a multi-layered, high fidelity of implementation it found a thoughtful approach rooted in administrators desire to “get to the root of” student misbehavior. The school relied on well-integrated mechanisms of the positive school discipline intervention, including a “think-lab” where students and teachers could participate in conflict resolution mediations. In the school with low fidelity of implementation, the study found a hybrid punitive and positive approach rooted in the bureaucratic desire to comply with state law. That school relied heavily on law enforcement and structural forms of exclusion, including modified student schedules and alternative school placement to deal with

student misbehavior. To varying degrees, this study found a general acceptance of district- and school-level partnerships with law enforcement. In both schools, this study found a permeable school culture influenced by the foremost prominent institutions of the towns: prisons and agriculture.

This study asked:

RQ 1. How do school actors, administrators, teachers, and staff come to define and understand differing alternative positive school discipline educational policy interventions?

RQ 2. Did sensemaking affect the meaning and value that school actors, administrators, teachers, and staff assigned to alternative positive school discipline educational policy interventions? And if so, how?

Sensemaking

The shift from punitive (zero tolerance) to positive (alternative) school discipline policy can be likened to a major pendulum swing in the state of California's policy landscape. Pulling back from decades of federal, state, and locally institutionalized zero tolerance or punitive school discipline educational policies, the school discipline pendulum swung toward alternative and more positive approaches. The initial state-driven encouragement of non-punitive, positive school discipline alternatives arguably came as a shock and disruption to longstanding organizational procedures, followed by a state ban on suspensions and expulsions for willful defiance in certain grades. But how exactly did local behavior change in response to this new state directive? In what ways did sensemaking undergird the perceptions and strategic actions related to the adoption and institutionalization of alternative school discipline policies at the school and classroom level?

Sensemaking is regarded as a cognitive process or exercise that involves taking information, framing that information, "and using it to determine actions and behaviors in a way that manages meaning for individuals" (Evans, 2007, p. 161). Specifically, sensemaking theory "involves turning circumstances into a situation that is comprehended explicitly in words and that serves as a springboard into action" (Weick et al., 2005 p. 409). Sensemaking theory—when applied to education policy change—helps analyze the social, strategic, and environmental factors that mitigate the implementation of educational policies. Weick advances seven characteristics of sensemaking within organizations. The process of sensemaking is: (a) grounded in identity construction, (b) retrospective, (c) enactive of sensible environments, (d) social, (e), ongoing, (f) focused on and by extracted cues, and (g) driven by plausibility rather than accuracy. These facets are employed by actors further considering (a) the situation, (b) task, (c) intent, (d) concerns, and (e) calibration (Weick, 2003). Sensemaking, then, "results in an articulation of meaning that proceeds into action, and meaning and action continue to unfold iteratively" (Weick et al., 2005, p. 413 as cited in Walls, 2017, p. 4).

The theory of sensemaking has been widely applied throughout the organizational literature to determine how actors make meaning within their organizations (Weick, 1995, Weick, 2009). Sensemaking considers the ways in which individuals interpret organizational realities, determine appropriate behaviors, and ascertain viable ways to succeed (Thornton, 2004). While sensemaking theory is varied in its conceptualization, including differences in content and modes of operation, there is a general consensus that “sensemaking concerns the process by which people endeavor to achieve coherent, plausible understanding of the meaning of their situation” (Fellows & Liu, 2016, p. 582). Sensemaking examines the way actors—who are embedded within their organization and broader environmental contexts—“make meaning of events and use this meaning to inform action” (Allbright et al., 2018; Weick et al., 2005). As such, sensemaking theory provides insight into the “continuous, ambiguous, complex and equivocal dynamics” of school administrators, teachers and staff, and their existence within their local educational institution (Brockmann 2011; Weick et al. 2005; Fellows & Liu, 2016 p. 582).

The literature reflects two differing ontological viewpoints regarding sensemaking theory. Some sensemaking traditions view sensemaking as a process that is strictly cognitive in nature, one that occurs within the individual and her psyche. In this tradition, cognitive frameworks, schemas, mental maps, and interpretive frameworks are relied on to make meaning (Fellows & Liu, 2017; Labianca, Gray, & Brass, 2000). Others view sensemaking as an iterative process based on social interactions that occurs between and amongst individuals. In this tradition, the dominant discourses and power structures are important and give shape to the sense that is socially constructed and shared (Helms Mills, Thurlow, & Mills, 2010). Because scholars emphasize that sensemaking is context specific and value-laden (Evans, 2007) this study will rely on both views.

Sensemaking studies in education tend to focus on understanding situations that involve moderate changes and changes over sustained periods of time. In education, the theory is primarily used to discern how teachers and school leaders make sense of and respond to new educational policies. For example, studies examine how teachers make sense of and implement new systems of standardized testing (Louis, Febey, & Schroeder, 2005 as cited in Walls, 2017) and how teachers and school leaders make sense of reading instruction (Coburn, 2005). Sensemaking is useful in that it enables insight into how actors within an organization may hear and interpret a policy message quite differently depending on their place within it. (Spillane, Reiser, & Reimer, 2002b). Any divergence in interpretation points to meta-social factors that govern sensemaking (Walls, 2017, p. 6). While sensemaking studies may illuminate the relationships between principals and teachers (Coburn, 2005), this study will illuminate the sensemaking of school administrators, teachers, and staff—those charged with institutionalizing alternative positive school discipline approaches on the ground.

Method and Data

To study the differences in the reported adoption and institutionalization of positive school discipline, from the vantage point of local actors, I drew from a larger comparative case study of five schools in California’s Central Valley. I chose to hone in on schools that

exemplified high and low levels of implementation fidelity regarding the most prominent interventions in the region: Restorative Justice (RJ) and Positive Behavior Interventions and Supports (PBIS). I chose a high school implementing RJ because this intervention is traditionally implemented in grades 9–10. I chose a middle school implementing PBIS because the intervention is considered an age appropriate one. The schools were similar in size, with a student–teacher ratio of approximately 19:2 and 22:1. The students in both schools were overwhelmingly students of color, Latinos, and low income. This study employed a qualitative cross-case comparison design to examine the interview responses of 26 school level actors.

Data from each school included interviews with 26 teachers, administrators, and staff members. I also analyzed whole-school, classroom, passing period, and general school-level observations (e.g., staff development, assemblies, whole-school activities, before and after school). Data was collected by a team of four qualitative researchers, totaling 24 researcher days—three research days per researcher at each school—spanning three months. Detailed field notes and observations were all written into memos. All interviews were recorded, transcribed, and uploaded onto the qualitative software program Dedoose. Interviews were coded for themes and patterns related to school discipline models, mechanisms, logics, perceived acceptance or resistance, general school-level culture, actor identity, purpose, and approach.

Findings

The findings for this cross-case comparison study are reported in terms of two individual case studies. Each case study provides an overview of behavioral problems at each school from the perspective of school-level administrators. Each case study provides a background regarding school administrators and their connections to the local school community. School discipline models and mechanisms are then explained from their individual perspectives. The case studies then provide the same broad overview from the perspective of school teachers and staff. Individual school-level peculiarities are reported.

The Case of Yosemite Middle School

Yosemite Middle School¹ was located two miles away from one of the largest privately owned farms in the country and four miles away from a California state prison. Yosemite Middle School's stated mission included the aspiration that students would become future high school students, college bound, and people of good moral character. The school adopted several pillars of student character which included values such as citizenship, trustworthiness, and respect. Researchers experienced the school as a highly controlled space, laden with surveillance cameras and enclosed with a tall chain-link fence. The school had a campus safety officer who ensured the campus grounds and lunchroom were monitored at all times. The school was quite large with ample widths of pavement. The grounds included a gymnasium, softball fields, and a library. The environment was peaceful, yet regimented.

¹ Pseudonym used.

Administrators' backgrounds and shared local roots. Most of the administrators grew up around Yosemite Middle School, and either attended Yosemite Middle School or a nearby school. Two of the four administrators came from law enforcement families. One administrator shared that his/her grandfather had migrated to this Central Valley city from the dust bowl and became the chief of police; at the time of this study, his/her father was a corrections officer at the local prison. Another administrator had a law enforcement background before working as an administrator in the school. A third administrator came from an agricultural family, and shared that his/her family owned a small cattle farm. The fourth administrator had vast experience teaching in out-of-state rural schools.

When asked how their backgrounds in law enforcement informed their work, one administrator shared his/her belief that having a passion for doing what is right, knowing right from wrong (attributing this to law enforcement), and having the right role models afforded him/her the right mindset. The administrator also attributed this belief to his/her colleague who also had a law enforcement background. Providing insight into his/her background, and situating himself/herself in this work, one administrator shared:

My grandpa was the chief of police, there was no way I was ever going to even try to get away with doing anything bad, because it's just such a small town. So I was raised very responsible. I was lucky I had really good role models, and I was raised by a team. My family raised me. I had to show my report cards to my grandpa, if I got into trouble I had to go to the police station and tell everybody what I did. That's how our town is, everybody knows everything about everybody.

Of the four, one administrator held a bachelor's degree in restorative justice. He/she obtained the restorative justice degree from a regional Central Valley university. Across these interviews, administrators drew comparisons between their students' backgrounds and their own, underscoring the major differences.

Administrators' overview of behavioral problems and dealing with the "k's." All administrators at Yosemite Middle School agreed that the behavioral problems at school were mild in nature. Administrators reported the most extreme case of student misbehavior as a student who brandished a knife. One administrator stated:

I've been here for four years and I've had two [incidents of] brandishing, one he ended up being expelled, another one was a girl who was just being silly, had a knife in her pocket. Brandishing a knife, that's a suspension or expulsion. That's an automatic expulsion.

The most persistent and serious problems reportedly stemmed from students' misuse of use of technology.² When asked to provide an overview of the range of discipline problems, administrators named student fights, tardies, and dress code violations. According to Yosemite

² Yosemite Middle School had a completely paperless curriculum and students were paired one-to-one with iPad computers.

Middle School administrators, the most commonly reported complaints from teachers included students throwing balls in the hallways and dress code violations. “We’re dealing with both of those issues and tardies, but if those are our biggest issues?” one administrator remarked.

All administrators shared the belief that teachers perceived dress code violations as a slippery slope for student misconduct. From the perspective of administrators, teachers were exceedingly cautious regarding the use of colors that may be gang affiliated on campus, such as red and blue because “the community unfortunately has a strong gang influence,” one administrator explained. Another revealed:

We have no red, no blue [clothing here], but [the elementary] school that feeds [students] to us, [their] school color is blue. So we have 6th graders coming here, wearing a shirt they wore all last year [in elementary school] and then [they get here and] we’re like, “No you can’t wear that.”

One administrator emphasized that some teachers felt strongly about keeping colors off of certain students in school, “depending on what the teacher sees and [how the teacher] sizes them up.”

There was a consensus among all administrators that Yosemite Middle School students who were willfully defiant *should* be suspended. However, administrators maintained their reported inability to suspend due to the changes in state law. In actuality, though, the state ban on willful defiance suspensions only applied to students in grades K–3 at the time that this study was conducted. Referring to the changes in the education code “k” and labeling students who misbehaved as “k”, one administrator argued “there are kids that are definitely k’s, that need to be suspended for k.” Another disclosed how administrators dealt with the inability to suspend students of willful defiance by saying, “one thing I think changed a little bit since we got rid of k suspension was, now if a student is being defiant, we don’t suspend him, *we will call the cops*. We had to do that.” Another added:

We try not to overuse them [cops]. We try to only use them when we need them. The other thing is, it’s a smaller community, so they’re connected to the community even if they don’t live here. A lot of them do [live here], or have relatives that live here, so they are very connected.

The question of how the school dealt with defiant students varied, depending on who was interviewed. When asked how defiant students were dealt with on campus, a front office staff member shared, “now they are sitting in our office. They are [in] in-house suspension *is what they are*, and then they [come and] disrupt the office.” Yosemite Middle School’s response to the state’s ban on suspensions for willful defiance included referring a student to law enforcement or removing the student from the educational setting to complete a paper “think sheet” in the school’s main office to remain supervised by central office staff. By triangulating interviews and observations, it became clear that students were indeed still removed from the educational setting for instances of willful defiance.

The model according to administrators—building the plane in the air. While administrators at Yosemite Middle School labeled their model or approach as Positive Behavior Interventions and Supports (PBIS) with some initial elements of Restorative Justice (RJ) the logics of the model aligned more closely to those of the Character Counts intervention. Character Counts is a model that focuses on fostering student respect, integrity and hard work to develop, “core ethical and performance values that are widely affirmed across all cultures”³ (Lickona, n.d., p. i). Yosemite Middle School had previously used character counts under a different principal and the overwhelming majority of their PBIS approach remained rooted in this philosophy. At Yosemite Middle School, the blended intervention was used to teach students responsibility, respect, and ethics. The hybrid nature of the school discipline intervention was very apparent at Yosemite Middle School. Yosemite Middle School had started Character Counts and switched to PBIS three years prior to this study. Administrators revealed that PBIS was taken up because administrators reportedly “knew the change in state law [the ban on willful defiance] was coming.” In a sense, administrators appeared to reach for the legitimacy that an empirically-supported and mainstream approach, such as PBIS, could provide.

At the time of this study, Yosemite Middle School was adjusting to the leadership of a new principal. As one administrator explained:

We were working through a grant from a Character Counts and [from a] Foundation to bring in character in different things. What was really funny [was that] a lot of the stuff I did, when I [went] to the PBIS stuff, [I] giggle, because a lot of it was stuff we did before, it’s not like PBIS is a brand new thing...a lot of the stuff is just good. Education, repackaged in a different form.

Indeed, the intervention the administrators described as PBIS was essentially a repackaged form of Character Counts. When asked to describe the current approach from a previous one, one administrator explained, “I think it’s hard to share because it’s a transition year, and so we have a new principal, and we’re trying new things, we’re building the plane in the air.”

The mechanisms according to Yosemite Middle School administrators. In describing Yosemite Middle School’s positive school discipline intervention from their vantage point, administrators described the adoption and incorporation of the following positive school discipline mechanisms: (a) the “buddy teacher,” (b) “think sheets,” (c) behavior tickets and a student store, (d) mediations, (e) behavior contracts, and (f) some initial elements of restorative justice. Administrators categorized these mechanisms broadly under PBIS and Character Counts. However, administrators described these mechanisms alongside traditionally punitive and exclusionary mechanisms school discipline, such as alternative school placements and modified schedules for students that, according to administrators were, “having trouble getting along with

³ “In practice, character education draws on eleven principles that range from promoting and defining character development and values, to foster meaning-making, motivation, and leadership while engaging relevant stakeholders through a systematic community approach that seeks to change the culture and climate of schools.” (Koon, Pulido, Frampton, & Perlstein, 2018).

other students rather than going through the process of expelling them, putting them somewhere else where they can work out their issues.” Additional reported mechanisms of school discipline included the routine use of drug-sniffing dogs, law enforcement referrals, and the heavy use of surveillance cameras.

According to administrators at Yosemite Middle School—in an effort to provide alternatives to suspensions—all teachers were assigned to a “buddy teacher” whose classrooms they could send misbehaving students to instead of sending students to suspension. Inside classrooms, students were expected to fill out a “think sheet” or paper form with reflection prompts that encouraged the student to think about her or his behavior. Administrators mentioned behavioral contracts with students, but interviews with other staff members revealed a lack of integrated use. One administrator shared:

As far as positive reinforcement, we have the [positive behavior] tickets, which are used in the student store, and all the teachers give those out. Some teachers even use those in the classroom for their own reward system. We have incidents like that and also we have behavior assemblies, good behavior assemblies and things like that. Those are probably the most common as far as discipline and positive go.

Positive behavior tickets were used to incentivize and reward good behavior. Students could redeem prizes or privileges with the positive behavior tickets such as school t-shirts, inside the campus store. Similarly, students who maintained good behavior were publicly awarded at “good behavior assemblies.”

RJ was described as an approach that Yosemite Middle School was only beginning to incorporate. However, the practices reportedly adopted under the guise of RJ were mainly campus beautification acts of “service.” Scraping gum off of the concrete with a spatula and cleaning the cafeteria were cited as common ways the students would engage in restorative “service” acts in order to build character and restore harm. This view of justice was not random, rather informed by the cultural settings. Mediations were mentioned and reportedly used to prevent student fights when administrators became aware or “were informed” of potential problems. One administrator shared:

“I think our most commonly and effectively used tools would be the mediations and check-in, check-outs. We have one that’s a [classroom] check-in, check-out, where every period the teacher marks how well they did. And then we have one that’s more severe where they actually have to sit in a certain place during the breaks and lunches and things like that. Those are the things we use the most as alternatives to suspension or as an intervention to prevent suspension.

Indeed, the approaches took on a punitive twist.

The confluence of punitive discipline was made more clear when administrators mentioned the regular use of drug-sniffing dogs, alternative school placements, modified

schedules for students who misbehaved, and teachers perceived reactions to the use of these mechanisms. According to administrators at Yosemite Middle School, drug dogs were used to sniff classrooms every month, and also when any drug-related suspicion surfaced at Yosemite Middle School. Regarding alternative and modified placements, administrators noted that instead of expelling students who misbehaved, students were now being sent to independent studies, “[teachers] don’t even necessarily know we’ve done that. They just see the kid disappear and are happy” one administrator reported. Modified school schedules were also maintained for students who misbehaved. One administrator shared:

we also did the modified schedules where they might have a half day. Before in the past, we typically only did that with IEPs [Individualized Educational Program] or something like that. This year we’ve been doing more with kids who just have discipline problems.

These exclusionary mechanisms and perceived teacher approval regarding the removal of problematic students from school grounds suggest that a punitive culture existed, and that positive and alternative school discipline as implemented may have failed to provide sensible solutions.

Administrator perceptions of teacher buy-in. Administrators reported a perceived general acceptance of positive school discipline reform amongst teachers at Yosemite Middle School. Administrators agreed that only about five to seven teachers of about 35 to 40 were vocal and resistant against the reforms. To illustrate this point, one administrator maintained, “we have ones that have been very supportive, and really want it, and then my personal favorite, that’s the one I’ve had the conversation with, he said, ‘The problem here is that the kids don’t fear you.’” All administrators shared the conjecture that teachers at Yosemite Middle School grew up with traditional and punitive forms of discipline, which made it difficult to abandon previous zero tolerance ideologies (although the abandonment of zero tolerance ideologies was never explicitly articulated as a goal per interviews with administrators). Administrators further shared their perceptions that teachers had to overcome fundamental cultural and generational differences in their day-to-day interactions with students because, “they come obviously from a different culture.” While administrators reported a general schoolwide compliance to the reforms, they did not entirely trust the ability of teachers to discipline students fairly.

The rhetoric of law and order. The rhetoric of law and order or “prison terminology” was commonly invoked at Yosemite Middle School. Prison terminology was used in conversations by staff, administrators, and teachers alike. Administrators used words such as “felonies” to describe student misbehaviors. The playground was commonly referred to as “the yard” and students who returned from suspensions were said to return to the “general population.” One administrator shared, “We have kids [that] we build relationships with, [and] now they are like informants.” On my second day of observations at Yosemite Middle School, I encountered a locked seven-foot tall chain-link fence that was wide open the day before. As I neared the fence I was approached by a staff member who inquired about my visitor badge. I took the opportunity to ask why the fence was locked that day and not the day before, and the staff member responded that the fence was generally locked to keep the sixth and eighth grade

“populations” apart from each other. This chance meeting and interaction with the staff member confirmed that the rhetoric of law and order was prevalent at Yosemite Middle School.

Administrators place the prison: It’s generational. The prison in close proximity to Yosemite Middle School seemed to cast a shadow over all interviews with administrators, one that permeated their thoughts and sensibilities. Administrators at Yosemite Middle School routinely mentioned the prison during interviews without any specific question about the prison or any prompting. Administrators used the prison to explain behavioral problems and character deficiencies in students, articulating a deep connection between the two while simultaneously and contradictorily maintaining that behavioral problems at Yosemite Middle School were mild in nature. Administrators presumed that students had familial ties to the prison population. One administrator shared:

Mostly they’re generational, so I don’t really meet that many students who just came here because, “Hey my dad just went to prison.” They’ve been here for 3 generations and there’s been somebody in that prison for all those generations whether it be an uncle, a brother, a grandpa or their dad, or their mom. It’s generational. They usually, the same families end up in prison. They stay here, and they stay on welfare. They stay broken, and they stay in that life. Seeing that that’s how you make it. You don’t make it until you go to prison. *It’s a gang culture.* That’s just the way it has been for several generations, and they’ve been here for several generations and they have made the prison their culture, basically.

With regard to discipline, administrators placed the prison at the epicenter of broken and “deficient” families and disclosed their perception and belief that the school was the only place where students could learn character and how to be good people. One administrator shared:

“A lot of kids come from not great backgrounds. A lot of what they’re learning, [is] to be acceptable persons, right here. That’s a big responsibility I think we take pretty seriously and I think it takes time to build those relationships and you can modify that.

Indeed, the prison seemed to cast a shadow or aura around the students at Yosemite Middle School in the thoughts and minds of administrators, although student misbehavior was not reported as violent, criminal, or serious per administrator interviews.

According to administrators at Yosemite Middle School, the prison contributed to a decline of the town’s social fabric and brought with it many consequences for the schools. One administrator shared:

I know the teachers tell me that, because a lot of the teachers [here] were my teachers, and they tell me that it has gotten worse. As far as the parents and the community goes, that 's getting worse and worse every year, every generation is worse... Even the [elementary school] that sends kids to Yosemite Middle School, tells me, “oh this year, our fifth graders are coming into sixth grade, oh my goodness.” I hear that every year,

like they're worse than last year? Okay. Then I get a list, like, "watch out for this kid and this kid."

The narrative of a declining social fabric and criminality seemed to exist as a prevailing criminal justice ethos more than a well substantiated fact. Administrators cited mild forms of student misbehavior and maintained this perception consistently across all interviews.

Teacher backgrounds and shared local roots. Four of the five teachers shared that they were born and raised in or near the town where Yosemite Middle School was located. Some teachers had completed their higher education and training within the Central Valley. With regard to their professional background, one teacher was a youth pastor before teaching. Two teachers came from educator families and one's father had been a local superintendent in the area. One teacher worked at a continuation school before working at Yosemite Middle School. Another teacher reported having a career in the health field before becoming a teacher. According to a demographic survey, two of the five reported 10–15 years of experience in teaching, and two to six years at Yosemite Middle School. One reported working seven to 10 years at Yosemite Middle School, and the experience of the remaining two remained unknown. One teacher identified as Latino/Hispanic, three teachers identified as White; the race and ethnicity of two teachers were unknown, with one teacher declining to state. The teachers interviewed taught a range of subjects including math, science, history, and English language arts. A high ranking leader of the teachers' union was among the group of teachers interviewed for this study.

Two of the five teachers lived in the town where Yosemite Middle School was located. A resident teacher of Yosemite Middle School shared:

I live here in town, which shocks the daylight out of people when I talk to them in town. I teach in town, I live in town. That's just one of those things I believe that if you're going to work someplace, *you need to live there* [Emphasis added].

This administrator shared the perspective that he/she heard stories about the town and school did not match up to his/her experience. Illustrating the criminal justice ethos that existed at Yosemite Middle School and its community, he/she explained:

When you talk to people in the community, you hear a far different tale of what the school was back just a few years ago. You hear about gangs, you hear about fights. I mean, violence on a daily basis here. I come to work and I'm like, "That's absolutely insane." What you're describing to me is so foreign to what I experience on this campus that I have no idea what you're talking about. It's like you're talking about two different schools.

The other teacher who also lived in this town shared that it was a "nice place to raise kids" and stated his/her preference for living and working there. He/she identified as Caucasian and explained:

I was actually subbing in [a nearby city], I hated it. Some of the charter schools, which are predominantly Caucasian students I guess. Parents have money. The kids think they have money. They think they can push you around, they think they can get what they want, they're entitled. They think "my parents have money so I'm important."

Indeed, the *resident* teachers expressed a preference for working at and living around Yosemite Middle School. Resident teachers reported no issues with living or working in town.

Teachers perceptions of state level reforms. Teachers at Yosemite Middle School overwhelmingly disagreed with the state-level ban on suspensions for willful defiance, or "the elimination of k" as most referred to it. There was a general consensus among teachers that the policy change left them with the perceived inability to resolve certain behavioral problems. One teacher shared:

the elimination of k doesn't allow you to [suspend] and so the kid gets a warning or I mean detention, really doesn't. It's tricky dealing with detention because, you assign the kid detention, the kid doesn't want to go to detention, so the kid doesn't go to detention, so then what do you do? Because you can't suspend them for not going to detention, because that's not [ok under] k. You see what I'm saying?

Indeed, at the heart of the willful defiance ban on suspensions was the legislative intent (and directive) for schools not to issue in- or out-of-school suspensions for willfully defiant behavior, rather, to address the behavior in educative ways. "It's almost impossible to have classroom control and to be able to teach 30 kids or more in a classroom when you have that same two or three kids that terrorize your classroom every single day," one teacher stated. Regarding the teachers' union position on the state level reform, a union leader added:

things get discussed, but we don't have an official position as far as really going, 'k should be brought back' or anything like that. I think everybody would like to have k brought back. Well at least the teachers would, the parents probably, the politicians probably have different opinions.

The logics of school discipline according to teachers. Teachers at Yosemite Middle School shared the perception and belief that colleagues who strongly resisted positive school discipline reforms and interventions did so because, "they were in that fixed mindset from the '70s and 80s." Punitive mindsets were reported across all interviews and attributed to *other* teachers. Across all interviews, teachers shared the logic that making a genuine connection with students was important and at the heart of the school discipline matter. One teacher shared:

It all comes from the teacher caring and I don't care what anybody says. Kids can tell if you are genuine and if you are authentic and if you honestly give a damn about them, so I educate that way.

This sentiment was echoed across all interviews. For instance, another teacher explained the importance of connecting with and respecting all students, “or [the students] shut down.”

The mechanisms of school discipline according to teachers. Teachers at Yosemite Middle School articulated the mechanisms of the school discipline intervention and described their individualized approaches. Throughout interviews, teachers shared an overview of the positive behavior tickets they issued in the classroom and that students redeemed for prizes and privileges. “I’ll give you a pencil if you behave all week,” one teacher illustrated. Another teacher shared that he/she assigned campus beautification instead of discipline to misbehaving students and removed iPad privileges. He/she shared, “I’m going to do whatever I can in my room in and of my own little circle so that you don’t go to the office” regarding those students who the teacher would otherwise suspend. In one class, the teacher displayed a behavioral consequence map on the wall by a booth they named “the thinkery.” That teacher explained:

my thinkery is for them to think about what they’re doing, and it says, “You are here. If you don’t fix this, you’re going to go here.” It shows the natural progression of steps. If you go here, it ends here. We don’t have to escalate.

Two teachers mentioned the use of behavioral contracts with their students. These mechanisms were deployed to combat what teachers described as a culture that, “education isn’t that important.” All teachers mentioned correcting dress code violations, some directly with the student and others by sending the student to the office. Two teachers turned to a rigorous and engaging curriculum as a way to capture the hearts and minds of students. Indeed, the articulated mechanisms of school discipline varied widely across interviews with five teachers at Yosemite Middle School.

A punitive response. While all teachers reported sending students to the front office instead of suspending them, one teacher shared an extreme example of how he/she removed a student from the classroom. Providing insight into his/her experience, he/she shared:

One kid in particular, he just continued to be defiant and he got verbally threatening. He’s four feet tall, probably 80 pounds, I’m six feet tall, I’ve been 230 pounds since I was in eighth grade, like, I’m not intimidated or threatened by this little guy...he wasn’t going to leave and I said, “well, we can do this one of two ways, you can leave of your own free will or I can call the police. I’m not going to call the assistant principal, I’m going to call the police. They’re going to clap you in irons and then they’re going to physically force you to leave. Your choice because you’re being a menace.” That’s only the second time in 12 years I’ve had to go that far.

This particular teacher went on to explain a local model, called “it’s time to learn”⁴ that had been utilized, “for incidents like that” where a teacher could not manage the students behavior. From the interview, it was unclear if the model had been used at Yosemite middle school or at this teacher’s previous school site. It remains a relevant example, however, because

⁴ This is a pseudonym.

the teacher insisted that a technique like this was missing from current responses to defiance in the classroom. The model consisted of calling the front office for “an all call” to the classroom. He/she illustrated:

What you’ll do, instead of kicking the kid outside and having this conference, it was that you walk over and pick up the phone and you call the senior secretary and say, “I need an all-call to my room” and hang up. Immediately on the intercom, “All available staff,” there could be 10 to 15 available staff, “need an all-call to this classroom.” They get inside your classroom, they stack up like they’re SWAT, seriously, and then they all come in single file at the same time. You point to the student, the principal and the assistant principal and campus security, if you have campus security, goes over and stands by said student and they have a conversation with the student.

This teacher explained that while there was nothing physical about his/her response, the response was:

just so imposing and so intimidating to have 15 people come looking for you. The last thing middle school students want is a bunch of adults looking for them. Now, you have a room full that were called just because of you. As a classroom teacher, you didn’t give away your power.

Teachers place the prison: A little isolated bubble that’s attached to a principle.

Teachers referred to the nearby prison in four of the five interviews, without any prompting. The prison was seen as a contributing factor for why “school didn’t matter” for some students—presumably those who misbehaved—at Yosemite Middle School. One teacher explained,

Where is that rooted? Why is there a culture that education isn’t important? I think that it’s just that we are attached to a prison, you know what I mean? It’s a weird, like little isolated bubble that’s attached to a principle.

The principle that the school was attached to, as this teacher perceived, was the student outlook that education was not relevant for these students. He/she continued, “It affects it. I think that some of the population that I know, they have family in the prison and they’re here from other parts of the state because their father is probably in there.” When asked if they could estimate the percentage of students who fell into that category he/she responded:

I really don’t. I try not to pry...I would probably say about 10%...That’s just me here, not me asking. If I were to ask, it probably would be about 20% but I don’t, *I know they have to be here.*

Another teacher who grew up in this town stated that he/she was a “Yosemitean” (i.e., to denote an identity with place of origin in this town). He/she went on to explain his/her understanding of the prison and the role it played in changing the dynamics of the town and the school:

“Our clientele is way different from when I was a child. [We have the prison] and that has changed our demographics. We don’t have kids anymore that have two parent families. They are living with only one parent or like a third of them don’t even live with a parent, they live with a grandma or an aunt or uncle. I think we have a high incidence of foster kids now too. The prison and then we had a sudden boom in Section 8 housing

The prison seemed to permeate the thoughts and sensibilities of teachers, too, as found across the interviews with Yosemite Middle School administrators. Regarding the shift in demographics due to the prison coming into the town, one teacher shared, “it changed the small town, from your door is always unlocked to, ‘oh, who are those people walking by?’” When the question of why positive school discipline was a major focus in middle and high school came up, the same teacher answered, “because that’s where the thugs are.” Indeed, the prison cast a shadow over the thoughts of teachers at Yosemite Middle School and the administrators, alike.

Teachers on dress code violations: It’s kind of like the broken windows in New York. The importance of “cracking down” on student dress code violations came up in more than half of teacher interviews. Most teachers perceived that the administration didn’t do enough to enforce and uphold the student dress code at school. Many teachers believed that dress code violations lead to greater problems of student misbehavior. One teacher, invoking a criminological theory said this:

If we don’t care about dress code, if we don’t care about tardies, it’s kind of like the broken windows in New York. If we don’t fix the little things it just keeps having a domino effect and more stuff washes away. We’re not going to take care of that fight and give that kid a five day suspension. Oh, that was their second fight, shouldn’t they be expelled? Oh no, *all right*.

When asked where the laxity in the discipline for tardiness and dress code violations came from, the teacher responded,:

I don’t know if it’s from the D.O. [district office]. I don’t know if it’s because of the new ed laws that happened. You know? Oh they can’t be sent out for defiance anymore. What are we going to do? I don’t know, they have to cuss at you.

Regarding the teachers belief in the utility of alternative and positive school discipline at Yosemite Middle School, he/she answered:

It doesn’t seem like restorative justice does enough. It seems like it is skimming the top of the surface. At least what I’ve seen is that they aren’t going deep enough. No, that kid needs to do some hard core community service and not just a week of reading to old people. No, it needs to be a long three-month sentence of community stuff. Do some ugly stuff. Scrape some gum off desks, paint some building that would be awesome. Actually restore what you broke. I’ve never seen it done adequately. They actually need

to apologize to the people they have done things to and make amends. You don't see them making amends. It's all a facade.

Indeed, the notion of restorative justice operated as a punitive and almost carceral approach to school discipline in the minds of certain teachers at Yosemite Middle School.

Academics. There was a major disconnect between the way administrators and teachers talked about student behavior and how they related to students academically. At Yosemite Middle School, classes were rigorous, with most students taught towards the college-bound expectation in the school's mission. Students took pride in their learning and were deeply engaged in physics, literature, and mathematics. Although some classrooms felt highly regimented, the teachers (with the exception of one) exhibited a fair, professional, no-nonsense attitude and never strayed from complex lesson plans that included intervals of student feedback and engagement. Researchers observed enthralling lectures on the Holocaust, Abraham Lincoln, and students in physical science class seeking to outsmart a computer that measured the velocity of a moving object. With a few exceptions, all students were treated with high academic expectations, throughout the observations.

The Case of Sequoia High School

The mission of Sequoia High School⁵ included the stated purpose of achieving democracy and building community. It articulated the words wholesome, exploring, preparing, youth and the future. The medium-sized campus was clean, lined with trees and vast grassy lawns. Unlike Yosemite Middle School, the administrative office at Sequoia High school was decorated with impressive student artwork including a ceramic Medusa head, a pencil drawing of an Aztec king, a printed skull in an army helmet, and a painted leopard perched atop a tree. Students commonly spent their free time inside the "Bullpen" a multi-use mini youth center that also housed the on-campus student-led Restorative Justice League. The school had an on-campus "think lab" where RJ mediations took place, a wood shop, agriculture shop, gymnasium, multiple sports fields and an animal barn. The campus was peaceful and welcoming.

Administrators' backgrounds and local roots. The principal of Sequoia High School grew up in Sequoia and attended Sequoia High School as a child. Another administrator reported being in the area since the 1980s, and having served as the principal of Sequoia High School before moving into his/her district-level position. That district administrator was still heavily involved on campus which is why he/she was interviewed. A third administrator was trained in RJ in a regional Central Valley university. A fourth administrator had his/her child enrolled in the school at the time of this study. Of the four, one administrator had a background in special education and another had a background in youth development. In all, administrators had ties to the Central Valley region. "Out here the schools are the hub of the community. There's really nothing else in these unincorporated areas," one administrator shared.

⁵ Pseudonym used.

Administrator overview of behavioral problems. Administrators at Sequoia High School reported that prior to the implementation of restorative justice, “fights were not uncommon on campus.” When asked to provide an estimate about how many student fights occurred prior to restorative justice each year, one administrator shared, “I mean we were having fights, a year I would say about six, seven fights a year. Yet, that occupied a lot of our time.” Another added, “I can’t say we ever had any terrible, bad, bad discipline kind of things that you might see every day in L.A. or that kind of thing.” He/she further explained:

Even in [the next town over] at [their high school], they have fights every week. Which is not something we were used to. Our teachers tend to stay with us. We don't get a lot of transition with our teachers or movement.

Administrators at Sequoia High School reported that the majority of students were sent to the office from the classroom for things such as, “not being prepared” and “not having a pencil” or for being disruptive and disrespectful to teachers. In a joint interview with a couple of administrators, they explained why such behaviors were triggering the most office referrals, “That’s important because once again the [teachers] wanted...” the first administrator began. “*The hammer*,” the second administrator offered, stepping in to finish the first administrator’s response. The hammer was a term recognized by both as signaling punitive school discipline. Despite the lack of severity of most reported problems, administrators shared their reflection that prior to restorative justice they were doing *due process* instead of *due diligence*. To illustrate this point, administrators shared the perspective that when a student is unprepared or disrespectful in the classroom, there has to be a root cause. Until RJ came along, administrators were simply gathering facts regarding the misbehavior, not determining why the misbehavior was occurring. The most serious behavioral problems reported at Sequoia High School included students’ use of marijuana, which according to administrators was rising.⁶

The model according to administrators. Administrators at Sequoia High School reported that the school had followed an RJ model and training provided by a local consultant and a Central Valley university. However, administrators adapted the approach and made necessary changes to accommodate their localized needs. For instance, administrators made changes to the school discipline referral process. One administrator at Sequoia High School remembered communicating with the consultant and saying, “this is great but this doesn't work for us here. We need to add this other step.” That other step, according to administrators at Sequoia High School, was a “think-lab” or on-campus mediation room. The administrators shared that having a RJ booklet or manual was also an added individualized component that Sequoia High School held as very important. Administrators reportedly embraced a student-led Restorative Justice League and added a peer mentoring program to address their at-risk student population. “Without those support systems, it is very difficult to bring about change,” one administrator exclaimed. Across the region, Sequoia High School was known to have a high fidelity, multi-layered restorative justice approach. Administrators at Sequoia High School

⁶ Administrators reported a successful partnership with a local drug counseling organization, providing education and intervention for students and families.

tailored their RJ approach to add additional supports where needed, according to their perception of the problem.

Administrators used RJ as a buffer for suspensions at Sequoia High School. To buffer students from suspensions, administrators rewrote their policy handbook and had the handbook approved by the school board. One administrator shared:

[In the policy handbook], there is that step where the student must first be referred to RJ, or the Restorative Justice League before we actually suspend a kid. If the student is refusing restorative justice, which once in a great while, we will have a student say, “no, I don’t want to see that person [in mediation]. I don’t want anything to do with them…” or the parent says, “no, I’m taking the student home.” Then okay, the student goes home. But we will still sit down with the student and still try to formulate a plan for that student. Even though they refuse to meet in mediation.

Administrators at Sequoia High School reported a multi-layered and thoughtful implementation of RJ.

According to administrators at Sequoia High School, they were motivated by a local community initiative launched by a private health foundation to examine school discipline alternatives. Administrators at Sequoia High School sought alternatives that would enable students to monitor themselves and also teach them how to deal with conflict. One administrator shared that their school’s approach to restorative justice started out as a youth court where students could mediate peer issues and try to resolve their own problems. One administrator said:

in high school, we tell kids, “You have to grow up, you’re going to be an adult. You’re going to be in the real world.” Yet we never let them make their own decisions. It was like, “We keep telling kids this, but then we keep trying to put these restraints on them and not helping them grow.”

One administrator reported reaching out to the organization behind the local initiative, who put him/her in contact with a Central Valley university that trained educators in RJ. The principal was trained and subsequently brought the training into the school. According to this administrator, some students with behavioral problems had requested inter-district transfers. The mentality among administrators at Sequoia High School was reportedly not to send another district “their problems” rather, to work with the student to solve them.

The mechanisms of school discipline according to sequoia high school administrators. In describing Sequoia High School’s discipline intervention from their perspectives, administrators described the adoption and incorporation of the following positive school discipline mechanisms: (a) behavioral agreements, (b) classroom respect agreements, (c) mediations, (d) an emphasis on and training in conflict resolution, (e) student-led Restorative Justice League, (f) peer mentor-mentee programs for students identified at-risk, (g) follow-through with teachers after students were disciplined, and (h) the on campus think-lab.

Administrators described these mechanisms under the category of restorative justice and their localized approach to school discipline. Although the use of suspensions were not commonly reported, administrators reported the use of detentions or 8:00 a.m.–11:00 a.m. Saturday school in their place.⁷ In the section that follows, I will describe the mechanisms of the intervention as described and understood by Sequoia High School’s administration.

According to administrators at Sequoia High School, students who misbehaved were often expected to enter into behavioral agreements with their teachers. Normally, behavioral agreements would emerge from student-to-teacher mediations. The restorative justice coordinator shared what the process leading up to the behavioral agreement looked like:

During the mediation, we talked to the student and the teacher. We said, “What are some things you could work on?” “*Well I can do this.*” We [first have students] realize, and really *rephrase* what the teacher said that [she/he is] seeing [in the classroom]. The action that the student is *doing*. Then the student is like, “Well, I can raise my hand. Or I could perhaps wait till the teacher finished talking to ask those questions, instead of just shouting them out.” We [have the student] write that down in a behavioral contract and the student sees that and has a copy of that.

In this way, behavioral contracts were written and agreed upon by both the teacher and the student. Similarly, administrators reported that at the beginning of each school year, teachers were expected to create classroom respect agreements with their students. One administrator shared:

every period that they go into they have a different piece or they come up with a respect agreement with the teacher. They’re also going over the technology rules and what that looks like, in those first couple of days. They’re getting it in every class and nobody’s missing that piece of it.

Establishing clear behavioral expectations and norms at the beginning of the school year was intended to minimize the need for student suspensions.

Administrators at Sequoia High School placed a strong emphasis on mediations and conflict resolution. At Sequoia High School, mediations took place between students and teachers, and among students and who experienced conflict. Administrators described the process of explaining a mediation to a student, saying:

[We tell the student] “This is what’s going on and this is what we’re going to do. This is how we resolve conflict.” Then we go through the process. I explain a little bit about restorative justice practices and about the mediation process. Then once I get them to agree to it, then we start the process. It’s really given them a voice and I’m a firm believer that it’s learned behavior, how to resolve conflict the correct way. I get them to

⁷ Administrators reportedly adopted an instructive approach towards Saturday school, assigning research projects or study hall, instead of the traditional supervised sitting in silence.

understand that hey, we don't resolve conflict by fighting or screaming at each other or by exchanging words. It's by having a conversation.

According to administrators at Sequoia High School, if an issue arises between a student and a teacher, "they take care of it on that teacher's prep. If the prep has already passed, it's [handled] the very next day." According to administrators at Sequoia High School, some teachers were initially hesitant or refused to participate in mediations. "I've seen improvement. I think all teachers support it, sometimes going through the process of mediation is very difficult for some teachers." One administrator shared, "They have to hear out what the student feels and has to say. That they feel, their perception of the situation." Another added, "There were a few [teachers] that I had to say, 'No, you are going to go and sit down. The student is requesting a mediation.'" At Sequoia High School, mediations were often held at students' requests.

The students at Sequoia High School reportedly played a central role in maintaining and carrying out school discipline. For instance, Sequoia High School instituted a student-led and initiated Restorative Justice League. While the Restorative Justice League did not fall under the traditional restorative justice model, it was a central element of Sequoia High School's approach. One administrator shared that the Restorative Justice League was formed by older Sequoia High School students. The students were trained and started to sit down with classmates who were having issues. According to administrators, the Restorative Justice League mediated conflicts but also, "assigned community service around the school." In addition to the Restorative Justice League, administrators at Sequoia High School reported having a peer mentorship program where incoming freshmen identified at risk were paired with rising seniors that could guide them through their transition into high school. One administrator shared, "I say it's not *part* of restorative justice but yet it is, because that's an important piece for them to be able to have somebody that they can trust." Students in the mentorship program visited a local four-year Central Valley university over the summer. An administrator described the experience:

We actually took them to [the university], because we want them to see, this is a transition. Where you need to be is at a college. In order for you to get there, these are the steps that you must follow.

Indeed, Sequoia High School students were as much a vision for—as they were agents of—positive school discipline.

The most important mechanism of Sequoia High School's intervention was unequivocally cited as the on-campus think-lab. The think-lab served as a mediation room where a full time staff member oversaw mediations and generally crafted responses to instances of student misbehavior. The director of the think-lab explained that student-to-student conflict was normally resolved in the lab. He/she shared:

now if it's a student-teacher situation then I encourage the student to resolve it, "this is how." I coach the teacher as well, "this is where we're at." If there's something going on

at home, I'll inform the teacher. "This is why the student might be acting out, this is what we talked about."

For the first year and a half of the restorative justice intervention, Sequoia High School did not have a think-lab. One administrator recalled,

Now you have somebody that has the attention. Has the time to do those mediations because now you have kids that will be able to come in and not be interrupted. If I have something going, if I have a parent, [as an administrator] I would say, "Okay, I have a meeting already, come back later." With [the director of the think lab] the student is able to walk in the door and say, "This is how I feel, this is what's going on." [He/she will] listen to them and formulate a plan of action. If it's a conflict between a student and a student, then [he/she] will arrange for mediation, "Okay, let's bring the other student in here."

A major component of the think-lab's success included the directors ability to address teachers, and to inform them about how the students misbehavior was addressed. "The big ah-ha for me in this process was, we were leaving the teacher out of what was happening to the kids," one administrator shared. Another added, "they can be in the loop as well." Informing the teacher of how the student was disciplined and what steps were put in place to resolve the problem reportedly generated closure, and allowed teachers and students to move on.

Implementation rollout. According to administrators at Sequoia High School, the school was in its fourth full year of restorative justice implementation. Prior to the start of implementation, the school had spent two years in training. Describing the rollout approach, one administrator shared:

We trained in groups of about eight teachers at a time, along with some of the administration. We didn't do a week long process, we did one full day. Teachers would get some information, go back and practice and come back the next month. We did four or a couple of weeks and then came back again. We did about a third, a third, and a third until we got all staff trained.

The implementation rollout was strategically planned with administrators reporting that they first tried to determine the teachers they thought would support the intervention from "the other ones [that] absolutely [were] not going to go with it." In determining who the resistant teachers might be, the administrators constructed more balanced teacher cohorts, "We were very strategic as to who we were putting in the groups, because we knew that. We're not going to put all the ones that disagree in one group because that's now going to work, right?" The principal of the school then trained all of the cohorts and reported, "that was eye-opening for me because if I was going to make this change, I needed to be aware of exactly what I needed to expect on how the system was going to work."

Administrator perceptions of teacher buy-in. Administrators reported a perceived general acceptance of positive school discipline reform, with initial reluctance amongst teachers.

One administrator shared his perception that some teachers had their doubts, but “at least 90% of them are on board if not more.” Administrators believed that the overwhelming acceptance and compliance with restorative justice stemmed from the fact that all teachers and staff on campus were trained in RJ and because the think-lab had a full time director who could get to the root of many school discipline issues that teachers simply did not have the time to address. Two administrators shared the example of a student who was sent out of the classroom for yelling. One administrator recalled the back-and-forth interaction with the student:

Hey man wait up, don't yell. You don't have to yell. “I'm not yelling!” You are yelling. “I'm not yelling!” Then it becomes a discussion like, calm down. “I am calm!” May have been in a family of 13 kids and that's the only way that he was heard at home.

Administrators shared that the teacher in this situation had agreed to tap the student on the shoulder when his voice was getting too loud. Through a mediation, the teacher and the student both learned about their differences at the level of perception.

At Sequoia High School, administrators met teacher resistance or skepticism with what they described as a dose of “reality.” One administrator challenged resistant teachers by asking, “Are you doing what's best for the kids or what's easiest for you?” This administrator reported having had, “some pretty in depth conversations with staff on equity issues.” The administrator shared their recollection of an instance where teachers rejection of their discipline approach was met with a dose of perception and reality:

A lot of times you'll get teachers who say, “This kid's coming in late, don't you know out in the real world, if they go to work late, they're going to lose their job.” I have to stop and say, “Time out, I believe you've come in to work late, how many times? Do you still have your job?” I've had those conversations. I'm real honest with people and I tell them, I said, “You still have a job because there are reasons things happen.” I said, “When you [teachers] call and give a reason, I accept you at your truth and we move forward. You guys still have a job, so let's talk about what's reality and what isn't.”

This administrator expressed his/her understanding that students at Sequoia High School confronted real contextual circumstances that often made them late to school, including the charge of taking younger siblings to school and/or managing the household in the mornings because parents were leaving for work in the agricultural sector before 5:00 a.m. in the morning. These issues were met from a standpoint of resilience and not deficit on the part of students and their families.

Perception of the community, agriculture and farming. Sequoia High School was situated in a rural community with vast agricultural fields. It was the first large building that could be seen after driving into town through endless and dizzying straight rows of crops. A sense of community permeated the school: administrators reported that the town would come together on Friday nights, including students from the elementary and junior high feeder schools. Illustrating this phenomenon, one administrator shared:

“Football games, basketball games, whatever’s going on. This is where you see things happening. Our after school program I think is a big piece of this too even though it’s a separate program. The things that we’re doing to keep kids here and not leave and be at home without supervision, I think is a big piece also that helps keep this going.

Another administrator shared that an on-campus gym with exercise equipment was open for after-school use by parents. No major restaurants, retail stores, or institutions other than local farms and a pizza shop were seen or reported near Sequoia High School.

Interviews with teachers provided the greatest insight into the role of agriculture and farming for this school and town. Agriculture teachers at Sequoia High School—with various specialties ranging from agricultural science to agricultural communications and construction—shared a bit of what the agriculture and farm presence looked like at Sequoia High School. One teacher shared, “In the [on campus agricultural workshop], it’s expected that the community wants students to build things, which I like, community involvement within the program. It’s expected of you, to be an integral part of the community.” This administrator shared that the agriculture department on campus had an advisory board:

made up of all of our big Ag supporters, whether it be production farmers, people from the school board, different community representatives. We meet with them, three times a year. They give us feedback on our program, how we can make it better. We also offer our support for any community service stuff.... As soon as I got hired, everyone knew who you were and recognized you on the streets. It’s just the way it is. You have to listen to your community members, to find out what the community needs and wants are.

Teacher backgrounds and shared local roots. Five of the six teachers interviewed at Sequoia High School grew up in or near Sequoia High School. One teacher said, “a third of the students [at Sequoia High School], they’re my neighbors. I grew up with them, see them in town, go to church or whatever, the market, so I’ve enjoyed that. It’s been a good fit for me.” Another echoed, “Some of the students I have, I went to school with their older brothers and sisters, and their cousins. I think, maybe it helps with making a more personal connection.” One teacher who grew up outside of the Central Valley had earned a scholarship to study there and had used the scholarship to pursue a career in agriculture. One teacher reportedly worked as a firefighter for five years before becoming a teacher. All teachers said they enjoyed working at Sequoia High School characterizing it as having a nice small town feel. Two teachers expressed their preference for working in Sequoia High School compared to working at a nearby district where students came from more affluent farm owning families. One teacher recalled what defiance looked like in his previous job at another teaching site:

You know, the community up there versus the community here. In *that* community, there’s no middle class. There’s a very small middle class. You’re living in the [migrant] camps, working for the upper-class farmers. Old money, very wealthy families. They didn’t measure their wealth in dollars, they measured it in wealth of land. They didn’t measure their land in acres, they measured it in sections. There’s 640 acres in one section

... I had students say, "I own 100 acres of walnuts already, and I'm making \$150,000. Why do I have to listen to you?" Yeah, what do you say to that? Yeah.

This teacher shared an instance at a more affluent school where a student tried to physically fight them in class after being asked to put their cell phone away. The teacher recalled calling the police and that the administration of that school never followed up with him about the incident. The teacher added:

I was left in the dark on that one. I've never had anything like that happen, here, not even close. Everyday was stressful, up there. It made me really think that I didn't want to teach. Then I came here [to Sequoia High School] and I was like, "Oh, everything's great."

Another explained, "When I first started [working here], all of the students were very respectful. Which they still are, it's just that small town climate. They call everybody miss or mister."

The logics of school discipline according to teachers. All interviewed teachers, except for one, supported the use of restorative justice. The teacher who didn't support the use of restorative justice said that he/she didn't believe in it and disclosed the belief that behavior should, to the extent possible, be handled independently by the teacher in the classroom. Still, that teacher indicated that he/she had recently sent a student out for RJ in the think-lab because there was nothing else the teacher could do. Although teachers were generally supportive of the RJ ideology—that of getting to the root of the problem and restoring harm—some felt that the intervention didn't go far enough in terms of consequences. Teachers reported that a previous principal was more heavy-handed. However, teachers reported higher and more serious rates of misbehavior when the approach was punitive in nature, and not positive like the current approach.

The mechanisms of school discipline according to teachers. Teachers uniformly described their classroom respect agreements when discussing the mechanisms of school discipline at Sequoia High School. They valued the collaborative nature of these agreements and expressed value in having them. Teachers also cited the value of the think-lab and appreciated how diligently the director of the think-lab worked to resolve problems. Regarding the support provided by the director of the think-lab, one teacher shared "I'm not bilingual, and so he/she has been very, very important, to help make those parent contacts, especially because I don't speak Spanish. They help with that connection." Only two teachers interviewed at Sequoia High School shared that they had an individualized approach to discipline within their teaching practice. One teacher, as previously mentioned, did not believe in others handling school discipline for him/her, and tried to handle all of the discipline within the classroom. An observation of this classroom revealed order and no student misbehavior. Another teacher shared an individual system of merits and de-merits. When a student misbehaved, the student would obtain a demerit point toward their participation grade within the classroom. Neither teacher reported serious instances of student misbehavior or having to resort to punitive measures.

Teachers perceptions of state level reforms. The state ban on willful defiance did not surface in any of the interviews with teachers in this school. Willful defiance, the ban on willful defiance, the education code 48900 k were simply not mentioned in these interviews suggesting a greater emphasis on RJ and a lesser emphasis on bureaucratic compliance with a state law. The omission was a strong reflection of the stance on school discipline adopted by school-level administrators, teachers, and even the school board. The multi-layered approach to RJ shifted the mentality and discourse from one of compliance to one of “getting to the root of student misbehavior” and “doing what is best for the kid.” The RJ intervention was deployed to prevent suspensions across the board. As one teacher explained:

Here it seems like everybody’s on the same page. It’s a small campus, so we can go and talk to [the director of the think-lab]. Talk to the student and figure out what’s going on. That’s just my experience with them.

While one could infer that willful defiance was not mentioned as it did not apply for high-school-aged students, it is important to recognize that the willful defiance ban extended to expulsions for students in older grades and that in a sense, Sequoia High School was in complete compliance with the law. Furthermore, and in contrast, while the willful defiance ban on suspensions did not at the time of this study apply to Yosemite Middle School either, it was mentioned within the frame of compliance throughout most interviews with administrators and teachers at the middle school.

Academics. Although the vision of restorative justice and democratic education was fully enacted at Sequoia High School, less academic rigor was observed inside the classroom than at Yosemite Middle School. At all times, students were treated fairly and with respect at Sequoia High School even when students acted out. Although students were encouraged to work primarily in pairs, this often meant that students worked independently and seemingly unchallenged or engaged with the material. Younger and more inexperienced teachers were more commonly found at Sequoia High School than at Yosemite Middle School. When classwork was not rigorous or engaging, students at Sequoia High School became restless or excused themselves in succession to use the bathroom.

Conclusion

In this chapter, I found differences in the discipline models and mechanisms, as articulated by school administrators and teachers across both schools. In the school with a multi-layered, high fidelity of RJ implementation I found a thoughtful approach rooted in administrators desire to “get to the root of” student misbehavior. The school relied on well-integrated mechanisms of RJ, including a think-lab where students and teachers could participate in conflict resolution mediations, facilitated by a full-time trained mediator. The mission of the school was to achieve democratic education and a sense of community. Students were well respected and included in the disciplinary decision making, including rule setting through classroom behavior agreements. School-level administrators and teachers at the

restorative justice implementing school held capacity-oriented beliefs toward students and articulated student and community constraints through a frame of resilience.

In the school with low fidelity of PBIS implementation, the study found a hybrid punitive and positive approach rooted in the bureaucratic desire to comply with state law. That school relied heavily on law enforcement and structural forms of exclusion, including modified student schedules and alternative school placement to deal with student misbehavior. Administrators and teachers at this school held deficit-oriented beliefs toward students and articulated student and community constraints through a frame of criminality. To varying degrees, this study found a general acceptance of district- and school-level partnerships with law enforcement. In both schools, this study found a permeable school culture influenced by the foremost prominent institutions of the towns: prisons and agriculture. A paradox that emerged in this study was that the school with rigid, fragmented, and tough school discipline (the PBIS implementing school), also benefited from stronger academics, more experienced teachers, and overall rigor.

Chapter 5: Conclusion

Situated at the intersection of federal, state, and local regulation, K–12 school discipline policy unfolds across vast and differing fields (e.g., federal, state, local; education and law; politics and education) and amongst competing actors and interests (e.g., state and local policy makers, teachers and administrators, unions, parents and students, advocates, researchers, law enforcement, social services). Indeed, the field of school discipline policy and reform can be characterized as one of struggle and stasis. Research on school discipline has provided insight into the policies and practices that have come to replace zero tolerance or punitive school discipline in K–12 schools. A major theme in the literature is the pronounced racial, ethnic, and gender “discipline gaps” that emerge as early as pre-K and persist, despite targeted reform interventions (Gilliam, 2005; Losen, Keith, Morrison & Belway, 2015). Research has likewise surveyed the effects of emerging alternative strategies broadly recognized as supportive or positive school discipline interventions. Scholars confirm that school discipline policies and practices continue to yield the same punitive and deleterious results absent the effort of local and state actors to do so (Noguera, 2003). Yet, little is known about the local change process or *shift* from punitive to positive school discipline reform from the vantage point of local actors within their local educational institutions. Indeed, the literature has failed to explain the problem with school discipline in its “broader structural context, [and has failed] to specify the processes and the subjectivities that mediate between structural and legal forces and the behavior of school actors” (Hirschfield, 2008).

This dissertation modeled the application of policy process theories in ways that clarified and lent order to the two most visible, clear cut turns in the field of school discipline in California: the turn towards punitive or criminalized zero tolerance school discipline policy and the shift towards positive, liberalized, or decriminalized alternatives. It explored the perceptions and strategic actions related to the rushed adoption and implementation of positive school discipline by superintendents, district leaders, school administrators, and teachers in California’s Central Valley. It focused on understanding the local shift from punitive to positive school discipline, which included the local and regional adoption of non-punitive alternative means of pupil correction and the implementation of a California law that banned suspensions and expulsions for willful defiance from the perspective of local school actors. Ultimately, this dissertation explored the liberalized positive school discipline reform “shock” to the punitive system and how local institutions and actors transmuted that central shock on the ground.

This dissertation found that superintendents and district leaders shared a common, catalyzing belief and narrative that illustrated the failure of school discipline on the ground. Motivated by the shifting logics of school discipline—and by their desire to comply with changes in the state law—administrators enacted their boundary spanning roles, reaching into their local environments to quickly adopt positive school discipline interventions. Positive Behavior Intervention and Supports (PBIS) and Restorative Justice (RJ) were widely adopted and implemented, across various district and school organizations. Despite the common narrative supporting positive school discipline, however, district administrators conveyed a heavy reliance on punitive logics of exclusionary discipline, law and order. The rushed mandate, targeted interventions, and surge in funding across the Central Valley created major destabilizing effects,

which left local actors reaching for routinized models and “plug-and-play” approaches to implement on the ground. While some actors sought to improve relationships with and among students, others focused on bureaucratic, routinized remedies and legal compliance to the law. Mechanisms of punitive and positive school discipline were inadvertently blended, creating a hybrid “school-discipline new-normal” that relied heavily on taken-for-granted criminal justice ethos and rhetoric of law and order deeply ingrained within the community.

This dissertation found differences in the school discipline models and mechanisms as articulated between district- and school-level administrators and teachers, demonstrating differences in perception and practice. There was broad agreement among superintendents regarding the greater plausibility of PBIS’ implementation. That is, superintendents and district leaders perceived that the implementation of PBIS was more acceptable than RJ because they defined the intervention as being focused primarily on changing student behavior, not modifying the disciplinary apparatus or challenging deep-seated beliefs about school discipline. The PBIS intervention focused on teaching and rewarding good behavior, which did not come as a radical departure from day-to-day school operations. Administrators defined RJ as an intervention used to build relationships between students, teachers, and staff. In discussing the utility of the RJ intervention, one administrator shared his belief that, “...[students need to] have somebody on their campus who cares about them, who sees them as hopeful, bright, futuristic possibilities, who can develop [a] relationship with them so that they're not always being talked to when there's a discipline issue.” Superintendents and district leaders commonly understood RJ as a *way of being*, unlike a prescribed step-by-step intervention.

In practice, this dissertation found the school with a multi-layered, high fidelity of RJ implementation demonstrated a thoughtful approach to school discipline rooted in a desire to “get to the root of” student misbehavior. That school relied on well-integrated mechanisms of the RJ intervention, including a “think-lab” where students and teachers could participate in conflict resolution mediations. School actors at that Sequoia High School held capacity-oriented beliefs towards students and articulated student and community constraints through a frame of resilience. In the school with low fidelity of PBIS implementation, the study found a hybrid punitive and positive approach rooted in the bureaucratic desire to comply with state law. Yosemite Middle School relied on law enforcement and structural forms of exclusion, including modified student schedules and alternative school placement to deal with student misbehavior. School actors at that school held deficit-oriented beliefs toward students and articulated student and community constraints through a frame of criminality. To varying degrees, the study found a general acceptance of district and school-level partnerships with law enforcement. In both schools, the study found a permeable school culture influenced by the foremost prominent institutions of the towns: prisons and agriculture.

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