

Intervention in School and Clinic

<http://isc.sagepub.com/>

Zero Tolerance: Moving the Conversation Forward

Katherine R. Evans and Jessica Nina Lester

Intervention in School and Clinic published online 22 June 2012

DOI: 10.1177/1053451212449735

The online version of this article can be found at:

<http://isc.sagepub.com/content/early/2012/06/21/1053451212449735.citation>

Published by:

Hammill Institute on Disabilities



and



<http://www.sagepublications.com>

Additional services and information for *Intervention in School and Clinic* can be found at:

Email Alerts: <http://isc.sagepub.com/cgi/alerts>

Subscriptions: <http://isc.sagepub.com/subscriptions>

Reprints: <http://www.sagepub.com/journalsReprints.nav>

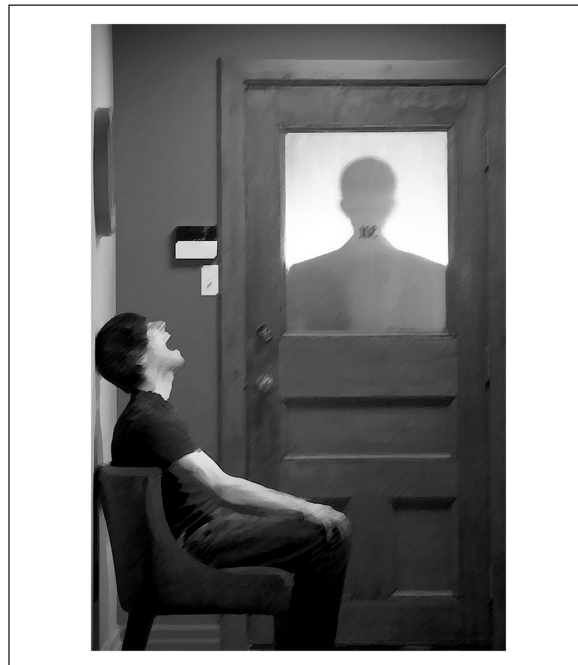
Permissions: <http://www.sagepub.com/journalsPermissions.nav>

>> [OnlineFirst Version of Record](#) - Jun 22, 2012

[What is This?](#)

Zero Tolerance: Moving the Conversation Forward

Katherine R. Evans, PhD¹, and Jessica Nina Lester, PhD²



Keywords

school-wide discipline, student behavior, student discipline

Special educators frequently teach students with a variety of diagnostic labels, including autism and oppositional defiant disorder. Some of these diagnoses point to the presence of challenging behaviors that might be viewed as threatening and disruptive. Teachers working with these students must make daily choices in how they approach such students. Although at times teachers work with these students to develop self-regulatory behaviors, they often risk working against such students by applying strictly punitive measures. Historically, students with disabilities, particularly those with a diagnosis of an emotional or behavior disorder (EBD), have been overrepresented in school disciplinary reports, juvenile justice facilities, and jails; these trends have become more acute with the emergence of zero tolerance

legislation (Rivkin, 2009). Currently, a majority of teachers within the United States are obligated to follow zero tolerance policies, replete with mandatory consequences for specific behaviors. Considering what is known about students who exhibit challenging behaviors, particularly students receiving special education services due to emotional and/or behavior-related diagnoses, such problematic and even

¹Eastern Mennonite University, Harrisonburg, VA, USA

²Washington State University, Richland, WA, USA

Corresponding Author:

Katherine R. Evans, PhD, Eastern Mennonite University, 1200 Park Road, Harrisonburg, VA 22802, USA
Email: kathy.evans@emu.edu

threatening behaviors can be seen as communication (Greenspan & Wieder, 1998). Furthermore, these behaviors can be used to teach conflict resolution, decision making, and a host of other skills (Johnson & Johnson, 1996). When teachers view students' behavior as an opportunity for teaching, they not only address the students' immediate behaviors but also provide students with tools that will benefit them in the long run as well (Morrison, 2007; Stinchcomb, Bazemore, & Riestenberg, 2006).

Unfortunately, zero tolerance policies often restrict this view of student behavior and require teachers to follow mandatory policies regarding punishment for certain behaviors. How do teachers manage to honor the unique needs of their students while at the same time adhering to uniform school discipline policies? In the remainder of this column, the problems with zero tolerance policies are addressed, beginning with a brief history of zero tolerance. Then, five principles are proposed and discussed as being potentially helpful to teachers, administrators, and school personnel who must navigate the tensions between policy and practice with regard to classroom discipline.

Brief History of Zero Tolerance

Zero tolerance policies, originally conceived within the criminal justice system, were first introduced into public schools in the mid-1990s with the passage of the Gun-Free Schools Act of 1994 (GFSA, 1994). These policies initially required a 1-year mandatory expulsion for any student caught with a weapon on campus but were subsequently modified to include a wide array of other offenses that mandate specified consequences for various behaviors. Along with the passage of the GFSA came a greater reliance on exclusionary practices, such as in- and out-of-school suspensions and the criminalization of behaviors that historically had been handled through in-house school discipline policies (Rivkin, 2009).

Whereas the proposed intent of the GFSA (1994) legislation was to promote school safety, indeed an understandable and essential aim, the bill itself gave discretionary freedom to administrators to modify the policy (Skiba & Peterson, 1999). With time, school officials widened their definition of those student behaviors deemed worthy of expulsion, leading to what many consider an overly punitive form of school discipline that relies primarily on punishment and, in many cases, functions to exclude students from opportunities to learn (Advancement Project, 2010; Rivkin, 2009). Whereas some states limit the use of zero tolerance policies for only those offenses directly related to weapons and drugs, many states continue to apply mandatory suspensions and expulsions for some of the most difficult-to-define behaviors, including fighting (in its broadest sense), insubordination, and bullying. Many of these behaviors are not necessarily physically dangerous, but rather could be considered distracting, disorderly, or inappropriate.

Whereas the importance of maintaining safety in schools is obvious, many have suggested that the application of zero tolerance policies has reached illogical extremes (Advancement Project/Civil Rights Project, 2000; Skiba & Peterson, 1999), extremes that perpetuate, not alleviate, harm committed against students. For example, the Supreme Court, in the case of *Goss v. Lopez* (1975), ruled that it was inappropriate to deny a student an education due to poor behavior and required that when students are excluded from their traditional school placements for longer than 10 days, the school is required to provide equitable educational opportunities (Yell, 2012). In many cases, however, schools have found ways around such requirements, providing alternative educational opportunities that many would argue are substandard and simply further students' educational frustrations (Brown, 2007). Students who are suspended from school for fewer than 10 days often are not given any type of alternative educational placement and are frequently prevented from making up missed work, which has been shown to increase the likelihood of academic failure (Christle, Nelson, & Jolivette, 2004).

It is important to note that the Individuals with Disabilities Education Improvement Act (IDEIA, 2004) prevents a school from making a "long-term change" in placement, expelling, or suspending a student whose problematic behavior is determined to be a manifestation of the student's disability. Furthermore, if a school has failed to provide the needed services to a student with a disability, IDEIA restrains the school from changing the student's placement due to problematic behaviors. In spite of IDEIA protections and the requisite due process requirements, however, there is evidence that special education students are more likely to be suspended or expelled from school than their peers (Raffaello-Mendez, Knoff, & Ferron, 2002). Furthermore, some schools are substituting out-of-school suspensions with *in-school* suspensions, which involve removing students from their general education classroom placement while still requiring them to attend school. In-school suspensions currently do not fall within the purview of the due process legislation; thus, although schools may claim to be providing equitable educational opportunities for students who are excluded from routine classroom placements, there is extensive evidence that even in-school suspensions may interfere with students' educational success (Dupper, 2010). Indeed, an abundance of research has been conducted in recent years examining the (in)effectiveness of zero tolerance policies (see, for example American Psychological Association [APA], 2008; Ayers, Dohrn, and Ayers, 2001; Reyes, 2006; Skiba & Noam, 2001).

Implications of Zero Tolerance Policies

As noted, one area of concern regarding the potential outcomes of zero tolerance policies relates to the potential increase in student academic failure. Researchers have

suggested that school failure contributes to poor student behavior in the classroom, creating what Christle et al. (2004) referred to as a "cycle of failure." Students who get caught in this cycle of failure often end up being tracked into the school-to-prison pipeline where students are pushed out of school, landing on a track that for many leads to the juvenile justice system and ultimately to prison (Children's Defense Fund, 2007). Furthermore, it has been well documented that this tracking is disproportionate according to race, gender, and disability (Fenning & Rose, 2007; Raffaele-Mendez et al., 2002; Skiba et al., 2006). For example, Black male students are more likely to be placed in special education and are more likely to be suspended from school. Furthermore, students with EBD labels are three times more likely to be suspended or expelled than their nonlabeled peers (Caldarella et al., 2008). We suggest that by excluding students from school and academic opportunities, the very policies presumably designed to assist both students and teachers may end up exacerbating student misbehavior, widening the achievement gap, and increasing teachers' frustrations as educators.

Beyond this cycle of failure, we argue that zero tolerance policies fall short of actually contributing to the creation of safe schools. Research findings related to zero tolerance policies tend to contradict the assumption that such policies are effective at creating safer schools (Ayers et al., 2001; Skiba & Noam, 2001). Moreover, zero tolerance policies may increase the link between the education system and the juvenile justice system, exacerbating student misbehavior and creating negative school climates (Advancement Project, 2010; Hyman & Snook, 2000). Abundant research has shown that negative school climates affect students and teachers alike, increasing both teacher turnover and student dropout rates (Christle et al., 2004; Grayson & Alvarez, 2007). In fact, the APA (2008) has claimed that although it may seem intuitive that "removing disruptive students from school will make schools better places for those students who remain, or that severe punishment will improve the behavior of the punished student," in reality, zero tolerance policies "have failed to achieve the goals of an effective system of school discipline" and certainly "run counter to our best knowledge of child development" (p. 860). The American Academy of Pediatrics (2003) has also come out with statements arguing for the end of zero tolerance policies. They called instead for disciplinary practices that work to increase students' sense of belonging and ability to participate in improving their own behaviors, while also providing the resources and support that teachers and the community may need to make such a shift possible.

There is evidence that zero tolerance policies may actually contribute to an ever-increasing sense of violence in the school environment (Hyman & Snook, 2000). Exclusionary discipline, mandated by zero tolerance policies, often serves to create antagonistic relationships between students and

teachers, with students who might already feel isolated feeling even more alienated when they are removed from day-to-day school activities. Years of research on effective teaching has revealed that one characteristic of effective teaching is the ability to build positive relationships with students regardless of the students' ability level. When those relationships are disrupted by excessively punitive disciplinary practices, the entire school climate inevitably suffers. New and veteran teachers alike are frustrated by their lack of disciplinary autonomy, and students are frustrated by the excessively punitive environment and the inability to learn from their behaviors (Noguera, 2003). Zero tolerance policies, with their one-size-fits-all consequences, shift the focus of discipline away from helping students develop appropriate social and behavioral skills and potentially increase the likelihood that misbehavior will continue (Stinchcomb et al., 2006).

Certainly not every school or teacher applies zero tolerance in the same way, yet the existing evidence necessitates a close consideration of alternatives to zero tolerance policies (APA, 2008). Indeed, there are schools that use disciplinary practices based on the idea that every student behavior serves as some form of communication. Within these situations, the goal of discipline is to seek and put into place logical consequences that help students learn lifelong lessons about their behavior. Some of these programs have been designed for and successfully employed when working with children identified with emotional/behavioral challenges (see for example, Wearmouth, McKinney, & Glynn, 2007). Whereas some might argue that such programs are constructed by those who do not face the day-to-day challenges of living and working in public schools, a review of the literature of various disciplinary models (Evans & Lester, 2010) revealed several disciplinary models being used in the United States and in other parts of the world in which alternative responses to challenging and even dangerous student behaviors have been successfully implemented. For example, Cassidy and Jackson (2005) interviewed parents, students, and school faculty at an alternative school in Canada for students who had been expelled from one or more schools for serious behavior problems. The participants described the school as a place that looked beyond deficit models of children and sought to create a safe learning environment for all of their students by establishing caring relationships, listening to students, adapting instruction, and taking a non-reactive response to student behavior. Other programs that have shown success in creating safe schools are the Resolving Conflict Creatively Program (RCCP; DeJong, 1993), Restorative Justice (Amstutz & Mullet, 2005), and the Peaceable Schools Movement (Lantieri & Patti, 2002; Patti & Tobin, 2001). These alternatives seek to meet students' emotional and social needs with resources that promote conflict resolution, mutual respect, and counseling services to help students deal with emotional and social

struggles. Furthermore, these alternatives often involve (a) school personnel who are trained to respond to students who are in crisis, (b) community services such as mentoring and academic tutoring, and (c) social services that address the complexity of needs that many students bring with them to the school environment (Amstutz & Mullet, 2005; Gossen, 2001; Lantieri & Patti, 2002; Noddings, 2005).

Finally, in response to those who might be skeptical about alternatives to zero tolerance policies, it is important to consider the facts. The way discipline is done now—exclusion in all its various forms—is not working. Many researchers and practitioners argue that zero tolerance policies are ineffective and contribute to the decline of positive school environments (APA, 2008; Hyman & Snook, 2000). So, what are teachers and administrators to do in the face of mandated zero tolerance policies? How should teachers navigate the tensions between what they are required to do and what they believe is beneficial to their students?

Principles for Practice

Although there are certainly no clear cut answers, five principles should be considered when thinking about zero tolerance policies, particularly in relation to children who exhibit behaviors that are easily misinterpreted (Cassidy & Jackson, 2005; Danforth & Smith, 2005). These five principles may assist in moving the conversation about zero tolerance policies forward.

Viewing Behavior as Communication

A student's behavior is always communication of some sort, regardless of whether the student has been identified as having emotional/behavioral challenges. Developmental theory has confirmed that many children are not always capable of articulating what might frustrate or anger them, often resulting in the display of behaviors that might be deemed threatening or out of control (Greenspan & Wieder, 1998). Because of this, it is important to carefully interpret behaviors. For example, words might not be easily accessible to a child who has linguistic challenges. When such a child screams, hits, or behaves aggressively, it is possible that these behaviors are an attempt to communicate frustration or anger. An administrator at an alternative school discussed previously noted,

When a youth acts out and is explosive, it is sometimes because they [*sic*] finally feel safe to express what is really going on in their [*sic*] lives and the anger and hurt they [*sic*] feel. It is often this reactive behaviour that is the beginning of healing. I don't see this as a negative. It can be positive. We take it in stride and absorb the youth's pain, and work with it. (Cassidy & Jackson, 2005, p. 457)

Likewise, when students become aggressive, it is important for teachers to view their behavior as communicative and seek to understand and address that behavior through such a lens. Zero tolerance policies often fail to view behavior as communicative, and therefore they fall short of effectively addressing students' behaviors (APA, 2008).

Considering the Purpose of Discipline

Any approach to discipline should be pursued with the end goal in mind: to increase a student's engaged learning time while also promoting his or her social and emotional health. As teachers view students' behavior as communicative, they can then consider ways to address the various needs that students bring with them to the classroom and provide students with opportunities to learn how to deal with conflict, disappointment, and the very culture of schooling. Thus, even in a culture of mandated zero tolerance consequences, providing students who exhibit challenging behaviors with opportunities to explore their own anger and develop alternative strategies for resolving conflict are still essential for emotional and social growth (Johnson & Johnson, 1996). Even when a student's behaviors are extreme and require that the student be suspended or placed in an alternative school, it is imperative that teachers and administrators continue to maintain high expectations of the student, not writing off the student as "hopeless," but relentlessly working to help the student grow emotionally and eventually return to school (Casella, 2003).

Employing an Interdisciplinary Approach

For disciplinary approaches to be effective, it is critical that teachers are not isolated in dealing with challenging behaviors. Instead, schools should approach discipline with a team mentality—administrators, teachers, counselors, caregivers, and students should be part of the dialogue around how the school community can respond to distracting and even dangerous behaviors (Stinchcomb et al., 2006). In an attempt to include all of the stakeholders, it is important to not solely rely on a predetermined list of behaviors and set consequences or punishments for those behaviors but to consider ways to include various stakeholders in the decision-making process about consequences that are logical and that will lead to learning. Thus, even in an educational climate where zero tolerance policies require certain mandated consequences, the inclusion of various stakeholders in decision-making processes about how discipline policies are implemented increases the likelihood that the child, not the policy, is the primary consideration. This perhaps can be most easily realized through the development of individualized educational programs constructed by an interdisciplinary team that can more aptly provide multiple perspectives on student behaviors and how to effectively respond to them.

Fostering Safe and Respectful School Environments

Providing safe learning environments requires that teachers offer needed support to all students while also very carefully evaluating how students perceive and interact with the school environment (Kupchik, 2010). Does each student view the school as a safe place, one where he or she feels that his or her identity is valued and accepted? For example, students who are consistently being removed from the school environment without fully understanding the reason for such consequences often develop antagonistic relationships with teachers and staff, creating very unsafe conditions. The notion of safety, then, must be conceived of more broadly, incorporating more than just physical safety. This will require that teachers listen to students' concerns; that they look beyond their manifested behaviors to see what needs lie beneath; and that they approach all children with respect and care, even those students who exhibit severely aggressive behaviors. While zero tolerance policies appear to preclude such individual considerations, respect and care are possible even within such policies.

Becoming Proactive at Facilitating System Change

Zero tolerance policies are political; as such, they require that stakeholders, particularly teachers and principals, parents and students, become active in bringing about systemic change. Everyone involved in the educational process should be included in those conversations that establish local policies regarding discipline. First, schools need a system that more effectively differentiates between those behaviors that are deemed physically dangerous, worthy of school expulsion, and those behaviors that can and should be dealt with in-house. Whereas there is a need for systems to be in place that address behaviors that are indeed dangerous, there is also a need to reevaluate what types of behaviors are considered dangerous. This reevaluation should occur with the expertise of teachers and other school staff sitting at the table. Certainly there are some student behaviors that do necessitate the temporary removal of students from their current educational placements (i.e., bringing a weapon to school); however, removing students from educational placements for less serious offenses (i.e., excessive talking or chewing gum) deprives students of educational access and eliminates the opportunity to learn from their consequences (Noguera, 2008; Skiba, Rausch, & Ritter, 2004). Zero tolerance policy studies have shown that merely dealing with the most dangerous of behaviors does not address the core issues of concern and ultimately fails to create safe learning environments (Advancement Project, 2010;

Kupchik, 2010). Teachers who wish to advocate for their students, particularly students identified as having various disabilities, have a right to be a part of these conversations.

Second, it is important to work with schoolwide, district, and state administrators toward the reallocation of resources that address students' needs. Certainly funding should be channeled to address disciplinary challenges and to create safe school environments; however, very little research has shown that spending money to install metal detectors or hire more school safety officers actually ensures those outcomes (Kupchik, 2010). Furthermore, such interventions fail to provide the support that classroom teachers are asking for. Thus, rather than spending money on metal detectors or uniformed police officers, money would be better spent funding counseling services, teacher salaries such that class size can be reduced, professional development for school staff about alternatives to zero tolerance practices, and educational programs that address students' physical, emotional, and social needs (Cassidy & Jackson, 2005; Noddings, 2005; Riordan, 2006). For such budgetary changes to occur, however, teachers, administrators, and other stakeholders need to become more politically engaged in educational decision making.

Conclusion

A large body of research on zero tolerance policies has failed to yield evidence that expulsion, suspensions, and other punitive approaches to discipline actually help to create safe schools. In addition, such policies often contribute to the failure of many students, particularly students with emotional and behavioral disorders, and increase the number of youth who are caught up in the school-to-prison pipeline. Yet the policies remain—policies that are ineffective at best and counterproductive at worst. To shift to a more effective, safe, and caring disciplinary structure will require that systemic practices are not simply evaluated but radically reconfigured. After years of research suggesting that there is no evidence for the continued use of zero tolerance policies, it is time to redesign school discipline in ways that will support teachers and students alike and move toward creating safe schools. Whereas teachers may not have the necessary political power to create systemic change in the short term, they can work toward changes in their own classroom discipline practices while concurrently joining with others to advocate for those necessary systemic changes. Countless students deserve the chance to work through emotional, social, and behavioral challenges and be afforded equitable educational opportunities. Short-term solutions, such as zero tolerance policies, neither help students who need the most social, emotional, and behavioral support (APA, 2008; Stinchcomb et al., 2006) nor ensure safe schools. It is time to move forward toward viable solutions and alternatives.

Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) received no financial support for the research, authorship, and/or publication of this article.

References

- Advancement Project/Civil Rights Project. (2000). *Opportunities suspended: The devastating consequences of zero tolerance and school discipline*. Cambridge, MA: Author.
- Advancement Project (2010). *Test, punish, and push out: How "zero tolerance" and high-stakes testing funnel youth into the school-to-prison pipeline*. Washington, D.C.: Author.
- American Academy of Pediatrics, Committee on School Health. (2003). Out-of-school suspension and expulsion: Policy statement. *Pediatrics*, 112(5), 1206–1220.
- American Psychological Association. (2008). Are zero tolerance policies effective in the schools? An evidentiary review and recommendations. *American Psychologist*, 63(9), 852–862.
- Amstutz, L. S., & Mullet, J. H. (2005). *The little book of restorative discipline for schools*. Intercourse, PA: Good Books.
- Ayers, W., Dohrn, B., & Ayers, R. (Eds.). (2001). *Zero tolerance: Resisting the drive for punishment in our schools*. New York, NY: New Press.
- Brown, T. M. (2007). Lost and turned out: Academic, social and emotional experiences of students excluded from school. *Urban Education*, 42(5), 432–455.
- Caldarella, P., Young, E. L., Richardson, M. J., Young, B. J., & Young, K. R. (2008). Validation of the systematic screening for behavior disorders in middle and junior high school. *Journal of Emotional and Behavioral Disorders*, 16(2), 105–117.
- Casella, R. (2003). Zero tolerance policy in schools: Rationale, consequences, and alternatives. *Teachers College Record*, 105(5), 872–892.
- Cassidy, W., & Jackson, M. (2005). The need for equality in education: An intersectionality examination of labeling and zero tolerance practices. *McGill Journal of Education*, 40(3), 445–466.
- Children's Defense Fund. (2007). *America's cradle to prison pipeline*. Cambridge, MA: Washington Research Project.
- Christle, C., Nelson, C. M., & Jolivette, K. (2004). School characteristics related to the use of suspension. *Education and Treatment of Children*, 27(4), 509–526.
- Danforth, S., & Smith, T. J. (2005). *Engaging troubling students: A constructivist approach*. Thousand Oaks, CA: Corwin Press.
- DeJong, W. (1993). *Building the peace: The resolving conflict creatively program*. Washington, DC: U.S. Department of Justice.
- Dupper, D. R. (2010). *A new model of school discipline: Engaging students and preventing behavior problems*. Oxford, UK: Oxford University Press.
- Evans, K. R., & Lester, J. N. (2010). Classroom management and discipline: Responding to the needs of young adolescents. *Middle School Journal*, 41(3), 54–61.
- Fenning, P., & Rose, J. (2007). Overrepresentation of African American students in exclusionary discipline: The role of school policy. *Urban Education*, 42(6), 536–559.
- Goss v. Lopez, 419 U.S. 565 (1975).
- Gossen, D. C. (2001). *Restitution: Restructuring school discipline* (2nd ed.). Chapel Hill, NC: New View Publications.
- Grayson, J. L., & Alvarez, H. K. (2007). School climate factors relating to teacher burnout: A mediator model. *Teaching and Teacher Education: An International Journal of Research and Studies*, 24(5), 1349–1363.
- Greenspan, S. I., & Wieder, S. (1998). *The child with special needs: Encouraging intellectual and emotional growth*. Boston, MA: De Capo Press.
- Gun-Free Schools Act (GFSA), 20 U.S.C. § 892 (1994).
- Hyman, I. A., & Snook, P. A. (2000). Dangerous schools and what you can do about them. *Phi Delta Kappan*, 81(7), 489–498.
- Individuals With Disabilities Education Improvement Act of 2004. 20 U.S.C. § 1400 *et seq.* (2004)
- Johnson, D. W., & Johnson, R. T. (1996). Conflict resolution and peer mediation programs in elementary and secondary schools: A review of the research. *Review of Educational Research*, 66, 459–506.
- Kupchik, A. (2010). *Homeroom security: School discipline in an age of fear*. New York, NY: New York University Press.
- Lantieri, L., & Patti, J. (2002). The road to peace in our schools. *Educational Leadership*, 54(1), 28–31.
- Morrison, B. (2007). Schools and restorative justice. In G. Johnstone & D. W. Van Ness (Eds.), *Handbook of restorative justice* (pp. 325–350). Cullompton, Devon, UK: Willan.
- Noddings, N. (2005). Identifying and responding to needs in education. *Cambridge Journal of Education*, 35(2), 147–159.
- Noguera, P. (2003). Schools, prisons, and social implications of punishment: Rethinking disciplinary practices. *Theory Into Practice*, 42(4), 341–350.
- Noguera, P. (2008). What discipline is for: Connecting students to the benefits of learning. In M. Pollock (Ed.), *Everyday antiracism: Getting real about race in school* (pp. 132–137). New York, NY: New Press.
- Patti, J., & Tobin, J. (2001). Leading the way: Reflections on creating peaceable schools. *Reclaiming Children and Youth*, 10(1), 41–46.
- Raffaele-Mendez, L. M., Knoff, H. M., & Ferron, J. M. (2002). School demographic variables and out-of-school suspension rates: A quantitative and qualitative analysis of a large, ethnically diverse school district. *Psychology in the Schools*, 39(3), 259–277.
- Reyes, A. H. (2006). *Discipline, achievement, & race: Is zero tolerance the answer?* Lanham, MD: Rowman & Littlefield.
- Riordan, G. (2006). Reducing student "suspension rates" and engaging students in learning: Principal and teacher approaches that work. *Improving Schools*, 9(3), 239–250.

- Rivkin, D. H. (2009). Decriminalizing students with disabilities. *New York Law School Law Review*, 54, 909–952.
- Skiba, R. J., & Noam, G. G. (Eds.). (2001). *Zero tolerance: Can suspension and expulsion keep schools safe?* San Francisco, CA: Jossey-Bass.
- Skiba, R. J., & Peterson, R. L. (1999). The dark side of zero tolerance: Can punishment lead to safe schools? *Phi Delta Kappan*, 80(5), 372–382.
- Skiba, R., Rausch, M. K., & Ritter, S. (2004). *"Discipline is always teaching": Effective alternatives to zero tolerance in Indiana's schools*. Bloomington, IN: Center for Evaluation and Education Policy.
- Skiba, R. J., Simmons, A., Ritter, S., Kohler, K., Henderson, M., & Wu, T. (2006). The context of minority disproportionality: Practitioner perspectives on special education referral. *Teachers College Record*, 108(7), 1424–1459.
- Stinchcomb, J. B., Bazemore, G., & Riestenberg, N. (2006). Beyond zero tolerance: Restoring justice in secondary schools. *Youth Violence and Juvenile Justice*, 4(2), 123–147.
- Wearmouth, J., McKinney, R., & Glynn, T. (2007). Restorative justice in schools: A New Zealand example. *Educational Research*, 49(1), 37–49.
- Yell, M. (2012). *The law and special education* (3rd ed.). Upper Saddle River, NJ: Pearson.