

# The Impact of Order-Maintenance Policing on an Urban School Environment: An Ethnographic Portrait

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*A school's policy of imposing order to allow learning ended up criminalizing misbehavior and failed to enhance the learning environment.*

In the mid-1990s, *zero tolerance*, a term appropriated from the criminal justice system, was adopted as a framework for school discipline. Zero tolerance called for swift and harsh punishment, suspension or expulsion, and, at times, police intervention, even for first-time offenders. Although the policy was initially designed to target weapons and drug possession in school, zero tolerance quickly expanded to include a wide range of minor school infractions (Skiba & Peterson 1999; Advancement Project & Civil Rights Project 2000; Brown 2003, 2005).

More recently, in a growing number of racially segregated schools in poor urban neighborhoods, zero tolerance has been augmented by another approach rooted in the criminal justice system – the heavy influx of law enforcement officials and the use of order maintenance, a popular form of street policing that entails cracking down on low-level, “quality of life” violations of the law through the issuance of court summonses and misdemeanor arrests (Harcourt 2001).

These disciplinary tactics have become prominent as a purported means to regain control over troubled urban schools. But how do criminal

justice-oriented disciplinary practices impact the school environment and the educative aims of the institution? What happens when law and order in schools is viewed as the primary means of mitigating disorder?

In this article, I report on an ethnographic study I began in fall 2004 in a Bronx high school I will call UPHS (urban public high school). The purpose of the study was to examine the impact of zero tolerance and order maintenance on the school environment and students’ lives. I observed student behaviors and disciplinary practices several times a week through the course of the year; I interviewed school personnel, law enforcement officials,<sup>1</sup> and students; and I conducted a systematic review of occurrence reports, which document disciplinary incidents and interventions. Finally, in order to gain insight into the entire disciplinary process, I accompanied some students to court when they responded to summonses.

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<sup>1</sup> New York City Police Department (NYPD) police officers from the local precinct, NYPD officers assigned to a special school safety taskforce, and security agents who work under the auspices of the NYPD.

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What I learned during my year at UPHS was that within the new disciplinary framework, there was a pervasive assumption among administrators and deans (teachers who are assigned disciplinary duties) that law and order was a precondition for educational innovation. It also became clear that order-maintenance policing was not primarily a means of ridding schools of serious violence; it was used, instead, as a general strategy of control.<sup>2</sup>

Through my review of the occurrence reports, I also found that the majority of incidents in which the police were involved and for which students were punished through the legal system began with a student breaking a *school rule*, not the law, and these incidents occurred mainly outside the classroom as large numbers of students remained in the hallways and other “public” areas of the building when classes were in session.

### ***Order Maintenance in the Hallways***

Although misbehavior occurred frequently in classrooms, this was not the primary concern of the disciplinarians.

Instead, much attention was placed on what was happening *outside* the classroom – the disorder that existed in the hallways and the problem of cutting, which, according to the deans, was the most pervasive discipline problem in the school. According to school occurrence reports, 52 percent of all summonses (about 230 for the school year) issued to students were for the ambiguous offense of disorderly conduct. Some of these offenses were coupled with an added charge of resisting arrest.<sup>3</sup>

The majority of these situations began when a law enforcement official would approach a student found in the hallways while classes were in session. Confrontations between students and officers or agents would escalate into a “police matter” when a student refused to hand over his or her ID card or when a student felt disrespected by an officer and attempted to defend him or herself. Law enforcement officials would respond to students’ “disrespect” or unwillingness to concede guilt with the use of criminal procedural-level

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2 According to school and police reports and numerous testimonies from school personnel and students, the school did have fewer incidents of violence than it had had in previous years. However, most people I interviewed attributed this not to the influx of police officers, but to the hard work of the deans and administrators who relied as often as they could on counseling, peer mediation, parental meetings, and other less-punitive disciplinary approaches. Most people I interviewed also attributed the decrease in violence to the removal of over 100 of the most notorious students prior to my entering UPHS. Although this practice likely did reduce the violence at UPHS, it is worth noting that it also served to exclude young people from school and, in reality, it only moved the violence to other schools and/or the streets in which those students ended up.

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3 Other summonses were commonly issued for assault (fighting) or harassment (usually involving some kind of menacing behavior or altercation without physical violence). Drug possession and weapon possession charges were made less frequently and usually occurred during routine searches at the school entrance. One student was charged with grand larceny for stealing thirteen pieces of candy and \$39. Another student got a summons for criminal mischief for drawing gang-related graffiti symbols on a desk. These behaviors, at first glance, may appear to warrant legal consequences, but at closer examination, it became clear that many of these infractions did not necessarily constitute a violation of the law. For example, historically there has been significant subjectivity when defining a high school fistfight as a criminal offense. Until police officers routinely patrolled school hallways, most fistfights were handled internally by educators.

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## When students are arrested or issued summonses, they must miss a day of school to appear in criminal court. School discipline, then, literally extends into the criminal justice system.

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strategies – handcuffs, summonses to criminal court, and arrest.<sup>4</sup>

An excerpt from my field notes illustrates the first part of the disciplinary process:

Two handcuffed young men are escorted by three officers into the office of the assistant principal of school safety, Mr. Juarez. Two other officers enter the room. The young men are forcibly placed into chairs to await the arrival of the police van. They are visibly upset and speaking to each other in low whispers as the police converge for the own consultation. I hear one of the boys tell the other, “They are beasts,” referring to the officers.

Within minutes, the two students are hauled off through the hallway, into the van, and down to the precinct house. Later I learn they are brothers,

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<sup>4</sup> Although the total number of summonses of this kind may not seem excessive for a large high school, the *threat* of a summons or arrest was much more pervasive. Daily, I witnessed students threatened with such consequences, and the actual use of criminal procedural-level strategies happened often enough that they had become normalized within the culture of the school.

Terrell and James. Terrell claims to have come to James’s aid after he was stopped by the police and had unsuccessfully tried to explain his presence in the hallway during class time.

The occurrence report documenting this incident reads:

Two male students were arrested by PO Johnson of the 30th pct for Disorderly Conduct and Resisting Arrest. One student refused to provide identification. They were both disorderly and disrespectful when stopped. Parental contact unsuccessful. Suspensions are pending.

This vignette describes a typical scenario in which a “violation of the law” occurred only after the students were approached by the police. In this case, the confrontation escalated when one student’s brother got involved, and both students ended up with the added charge of resisting arrest.

### ***School Discipline Extends into the Courtroom***

School discipline does not stop at a trip to the precinct house. When students are arrested or issued summonses, they must miss a day of school to appear in criminal court. School discipline, then, literally extends into the criminal justice system.

The story continues two months later on a cold November morning when I arrive at the Bronx Criminal Court House to appear in court with Carlos, a UPHS student I’ve come to know quite well. He has received a summons for disorderly conduct. After he arrives and we go through the ritual of the metal detector, we chat briefly with Terrell, who is there with his brother, James. Carlos knows Terrell from the neighborhood. I recognize him from that late September day in

Juarez's office. He smiles warmly and says, "I know you. You're the lady writing a book or something."

At some point during our wait I ask Carlos, "So, how did you end up getting this summons again?"

He explains how a police officer found him in the hallway of the school heading to lunch after the bell had rung. Carlos claims that the stairwell was too crowded, so he decided to take another route, but the bell rang before he was able to work his way through the building to the cafeteria. Carlos believes that the police officer disrespected him by demanding to see his ID and refusing to listen to an explanation for why he was in the hallway when he wasn't supposed to be. As with so many students in similar situations, Carlos decided not to cooperate because he did not believe he had done anything wrong, so the officer cuffed him, brought him to the detention room, and gave him a summons for disorderly conduct.

Finally, Carlos is called into the courtroom. We take seats two rows behind Terrell and James. One after the other, young men and women are called before the judge for minor offenses: riding a bicycle on the sidewalk, public urination, possessing an open bottle of beer. Then, the officer bellows, "Thomas Jones, disorderly conduct." A young Black man of about seventeen years of age, a student from another school, presents himself before the judge.

"What high school do you go to?" the judge asks from his high perch. On this particular day, the judge decides he wants to see all the schoolboys on another day with a parent. Of the four in the courtroom, none except Carlos is accompanied by an adult. As we leave the courthouse, I see the judge's tactic

worries Carlos. He has not experienced it before. He considers the numerous summonses he has previously received, and he asks me if I think he'll be locked up.

Thinking of another student who recently received five days in jail after responding to a summons for a fistfight, I say to Carlos, "No, I think he just wants to speak to your mother." And I hope that's really the case.

These vignettes are meant to illuminate the process from hallway confrontation to appearance in court before the judge. In this ethnographic description, we can begin to understand how criminal justice-oriented school discipline policies, such as zero tolerance and order maintenance, actually work to redefine the school environment by closely linking the school with street policing and the courts.

This linking of the school with institutions and practices of the criminal justice system was also evident in students' comments about the school



atmosphere. Frequently, they reported that they felt their school resembled a prison, and expressions associated with street policing and prison, such as “getting picked up,” “going on lockdown,” and “doing time” (in the detention room), were infused into their everyday discourse. These common associations with prison and policing reinforced the culture of control inside the school.

### ***But What’s Happening in the Classroom?***

In a criminological framework, it is assumed that disorder must be eradicated before neighborhoods can function in a healthy manner. When this model is applied to a school, the assumption is that the educational process is dysfunctional largely because of the disorder that exists. So the primary mission of the institution becomes control through penal management as a precondition for educational transformation. Additionally, the disciplinary focus is placed on events *outside* the classroom, where disorder is most evident, not the misbehavior and non-participation that occurs *in* the classroom.

Interviews with administrators and deans revealed the general belief that disorder needed to be eliminated before problems in the classroom could be resolved. The principal, for example, expressed a keen understanding of the relationship between classroom practice and school discipline; however, her comments to me also made clear that her primary goal was to bring order to the school. When I asked her how she came to be placed at UPHS during the previous year, she replied:

I came to be here at the request of the regional superintendent. At the time, they were looking for someone who had a strong background in security and discipline and so they asked me to come here and address those issues.

When I asked her about her responsibilities, she answered:

Well, I am the instructional leader in this building. That’s what a principal is and is supposed to be. But that does not mean there are not other issues. . . . The bulk of my time [last year] was security and discipline. And that was mostly my focus, unfortunately. There was barely any time spent in the classroom.

The principal often attempted to bring order to the school through the use of educational, rather than criminal justice, strategies. She expressed a strong belief in getting to know the students on a first-name basis and addressing organizational problems (such as students being registered for the wrong classes) before they became discipline issues.

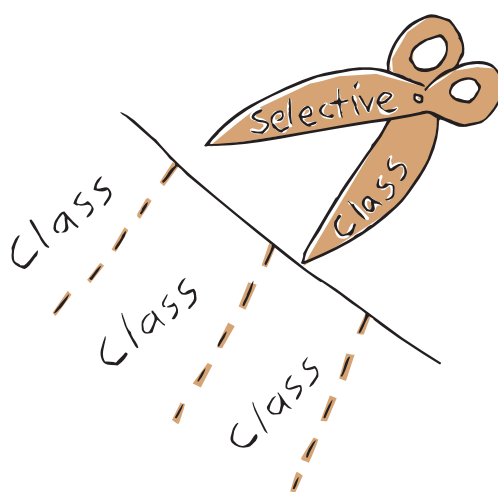
Nevertheless, within the criminal justice-oriented disciplinary framework, a culture of control took hold. The principal and her staff of deans became invested in criminal justice-oriented discipline as a means of creating order. They regularly spoke about the importance of getting kids to show respect during interactions with authority figures, and I frequently heard them threaten students with summonses and arrest. I also noted that deans spent considerable time trying to get students to go to their classes or “take their education more seriously”; yet, there was virtually no discussion about the need to challenge what students were encountering when they did attend classes.

Given that my study of the disciplinary process led me into the

hallways, the deans' office, the detention room, and even the courthouse, I began to wonder what was happening in the classrooms and decided to conduct observations. Although I witnessed efforts to make classes relevant, most observations revealed pervasive frustration and alienation among students. Teachers relied on teacher-centered, transmission approaches (Freire 1972), such as worksheets, information handouts, and lectures, in an effort to cover the vast amount of material that might appear on the Regents exams (New York State's standardized high-stakes tests). My findings in this respect reinforce the growing literature on the adverse impacts of high-stakes testing on teaching and learning, especially in historically low-performing schools serving students from non-dominant cultures (see Apple 2001; McNeil 2000; Lipman 2004).

My findings also indicate that selective cutting became pervasive in the context of the frustration and alienation students apparently experienced. It became evident to me that such a connection is worth exploring when I noted three general categories of students' responses (or excuses) when they were asked why they did not attend some of their classes. These were: "Classes are boring," "That teacher doesn't like me," and "Why bother? I've already failed the first marking period."

When I explored the notion that classes were "boring," I learned that this perspective occurred in a context of inaccessible material and perceived poor pedagogical practices, or as one student put it, "Some teachers can't even teach!" Other students expressed their boredom and frustration in other



ways. Wanda, a junior, shared with me her thoughts on typical classroom practice at UPHS. "I like sitting in the classroom, but I can't sit in the classroom that long and hear the teacher talk about the same thing over and over again and then give me a worksheet, like, for what? We just did this worksheet in class."

She hands me a legal-size paper with a small picture of Galileo and a description of his life and work. "[My teacher] gave us this worksheet. Like, come on, you're supposed to be a history teacher! Teach us about some history of something. . . . Nobody hardly read it!"

I begin to read aloud. "Galileo changes the universe . . ."

Wanda repeats emphatically, "Nobody did it."

Wanda's focus on the boring worksheet or handout was a common theme in my interviews, but perhaps even more common were the complaints that material was not made accessible.

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During a conversation with a group of students in the library one afternoon, I asked, “What does a good teacher do? How does a good teacher teach?”

Lena responds, “Like, sit down and take time to explain a topic so that the kids understand because sometimes they don’t even understand. [Teachers] just go through [the material] like that and say, ‘Okay, now do it.’ That’s it. They don’t explain.”

Damian’s comment made during another conversation echoes this theme. I asked him and his friends how teachers could make class better. “Make sure that the students understand what the teacher’s trying to say,” Damian quickly blurts out. “Make it interesting,” he adds.

“How does a teacher make it interesting?” I ask.

Damian explains, “Ms. Cantrell [an English teacher], when she says stuff, she explains it. She’s not like one of those teachers that say stuff and expect you to know what it is. She talks and explains stuff. If you can make learning a bit more fun for the kids, they’ll respond with a better attitude.”

Students also rationalized their cutting by proclaiming that their teachers didn’t like them. A few of the more oppositional students even reported that teachers had thrown them out of the classroom as soon as they entered the room before taking their seats. One such student, Duane, reported never going back after that happened to him.

Finally, students who failed the first of three marking periods in the semester would often choose not to attend a class, as they believed that there was little chance they would be able to pass the course, so, “What’s the point?”

With the vast majority of students entering UPHS reading below grade level, their perceptions of the poor pedagogical approaches they encountered, their patterns of failure, and, at times, their perceptions that their teachers did not like them led me to think it was no wonder that many students felt frustrated and became alienated from classroom life. It was also not surprising that many students practiced selective cutting and ended up getting into trouble in the hallways.

### ***Toward an Effective Learning Environment***

While much of the current research on criminal justice-oriented school discipline emphasizes the problem of tracking students into the criminal justice system (Brown 2003, 2005; Nolan

& Anyon 2004; Nolan, forthcoming), I have focused here on how such disciplinary practices create an atmosphere of penal control and take precedence over educational transformation. The implicit mission becomes an almost obsessive quest for order and respect at the hands of law enforcement, while the problem of student alienation is overshadowed and its role in creating disorder is not fully acknowledged.

To be clear, I do not argue that disorder and violence are purely a result of poor pedagogical practices, student alienation, and selective cutting. Certainly, disorder and violence in urban schools are largely a result of a very complex set of social and economic forces and the emergent “street” lifestyles to which many marginalized urban youth gravitate. Nevertheless, my research at UPHS strongly indicated that even in a notoriously violent school, the vast majority of students tend to try to avoid violence. They want to attend classes and do so when they find them engaging. Thus, law and order cannot be established *before* pedagogical concerns are addressed, any more than a sole focus on pedagogy can precede anti-violence efforts and good discipline. The processes must work together.

At schools like UPHS, I propose two general courses of action to improve the school learning environment. First, serious investment must be made to transform the classroom experience, something high-stakes testing and other recent educational “reforms” do not (nor were they designed to) accomplish. When students’ perspectives are taken into account, it becomes clear that many are struggling with low literacy skills, frustrated by irrel-



evant content, and alienated by poor pedagogical practices. With a serious commitment to addressing these issues, levels of engagement would increase and the problem of selective cutting would likely be mitigated.

Secondly, the school needs to be severed from institutions of the criminal justice system. Only serious, criminal offenses should be handled by law enforcement, while educators need to be trained and encouraged to use educational solutions to minor infractions and low-level disorder. These changes, implemented simultaneously, could have a significant positive impact on the school learning environment.

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