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Understanding Pedagogies of Care: An Investigation of Educator Experiences Supporting Special Education Students Throughout the Juvenile Justice Process

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Understanding Pedagogies of Care: An Investigation of Educator Experiences Supporting Special Education Students Throughout the Juvenile Justice Process

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ACKNOWLEDGEMENTS

CHAPTER 1: Introduction

When I first decided to write a thesis about educating students within the juvenile justice system, I did not know what angle I wanted to take. Truthfully, while I had learned about the school-to-prison pipeline in every one of my education classes, the topic still seemed out of my realm of knowledge. In most conversations about this pipeline, the particular and under-examined position of special education and disability remained largely left out. I wanted to tackle it.

In particular, I was interested in examining the experiences of the adults in charge of supporting these students educationally. In studies regarding both special education students and incarcerated students, most of the literature I had read emphasized their helplessness in the plight to find proper schooling. I chose to instead study the agents of this schooling system throughout the juvenile justice process to be able to gain a new perspective on the pipeline. These agents are the teachers, guidance counselors, and other educators who have experienced their special education students being pushed out of schools and into the hands of the justice system; they are the focus of my study. With this investigation, I hope to illuminate the racial and socioeconomic implications of the carceral system through their perceptions of their students, the curricula they teach, their methods of reintegration, and their idea of pedagogical care.

The process of engaging in this thesis study was both exciting and daunting. There were a few bumps in the road along the way, specifically when finding people to interview. I originally planned on only interviewing teachers and counselors who worked within detention centers. It did not take me long to come to understand the difficulties of the excruciatingly long and bureaucratic process of getting in touch with anyone from within the justice system. Each person I called referred me to someone new, and each new lead ended up hitting a wall. I had to rethink

the perspective. I started reaching out to family friends, old teachers, every educator I knew, and asked if they knew anyone who had experience with special education students involved with the juvenile justice system. All of a sudden I had multiple responses, and everyone seemed excited to be able to speak about their experience.

There are many phenomena that frame this study: accessibility of services for special education students within and outside of schools, the prevalence of "at-risk" students, and the lack of support for either of these groups. The term "at-risk" refers to students, disproportionately Black and brown, who have been deemed likely to come in contact with the law due to school pushout through damaging policies such as suspensions. In my literature review, I will explore the various contexts of these phenomena: the legal history behind special education law and the juvenile justice system, the implications of race and class in both special education programs and the carceral system, and the theoretical framework of DisCrit, a combination of Disability Studies and Critical Race Theory. This history will help contextualize my research in a field that has been explored for decades, yet whose subjects are still largely ignored and undervalued.

I will then utilize my methods section to detail the specificities of the five semi-structured interviews I conducted with six educators. Through these interviews, I was able to determine the similarities and differences in how teachers, guidance counselors, administrators, and those involved in out-of-school educational programs engage in a pedagogy of care with special education students. My methods section elaborates on my research design, including information about my participants, my interview protocol, and my process of analyzing the data I collected through a DisCrit perspective.

Chapters three and four consist of my analysis section, which will highlight the impact of class and race in particular on the incarceration of special education students, and the streamlining of these students out of school and into the hands of the criminal justice system. My first chapter of analysis will illustrate the importance of personalized instruction and care in the experiences of my interviewees, both within the school building as well as outside of school. Many of my conversations highlighted the necessity to engage and interact with the students' communities to truly support low-income special education students of color. Additionally, adjustments must be made to curricula to accommodate the special needs of students, especially those who are returning from or are "at-risk" of entering the justice system. My last chapter of analysis will determine what barriers stand in the way of accomplishing the care and support these educators wish to provide to their special education students. This chapter will be critical of the systemic obstacles that inhibit the successful implementation of care in the pedagogy of special education students involved in the justice system.

In writing about educating special education students throughout the juvenile justice process, I believe it is essential that I take a moment to address my own positionality concerning this topic. I am not a special education student and I have never been in contact with the justice system. I am not writing this thesis because I feel personally attached to the topic; I chose to write this because I feel passionate about illuminating both the extensive amount of care educators put into supporting their special education students who are so often neglected by society, and the vast limitations these educators face in their attempt to do so. By focusing on the experiences of teachers and educators, I hope to be able to highlight greater issues involved in educating specifically Black and brown special education students today.

In sum, I hope this study will help illuminate the cumulative difficulties facing

low-income students of color, many of whom have been deemed "at-risk" of incarceration. By examining the experiences that the agents of the education system have had with their students who have been marginalized by race, class, and ability, I hope to determine what kind of obstacles educators face in their attempt to support their students. By listening to educators and counselors, we can better understand the common threads of care between them and their students, and implement educational and social solutions to dismantle these barriers accordingly. From this research, one thing is very clear: students with special education needs will not receive the support and care they need from within the justice system.

CHAPTER 2: Review of the Literature

Education has always been intertwined with the criminal justice system. In the United States, they are two sides of the same coin. In this literature review, I will examine how special education in particular has been used as a mode of pathologizing difference, as a tool for resegregation, and as a pipeline towards the juvenile justice system. I will also utilize Subini Annamma and Susan Baglieri's work with DisCrit, a framework formed through unification of Disability Studies and Critical Race Theory, to examine and critique both our education system's efforts to ensure that teachers can give incarcerated, court-involved, or "at-risk" special education students sufficient support, and how this process may further youth recidivism. This study will emphasize the experiences of teachers and guidance counselors of adjudicated youth in caring for these special education students. In studying the education of youth within the juvenile justice system, it is necessary to keep in mind the ways that this examination falls into the carceral logic of the prison industrial complex. By critiquing such a specific aspect of the criminal justice system, it is important to continue to invoke an abolitionist approach to this examination and to highlight how the system itself was created to funnel marginalized communities into detention centers and prisons. In doing so, it must be noted that no reform of these detention centers will radically change the methodological incarceration of Black and brown people with disabilities.

History of Special Education and Juvenile Justice

There are many environmental and societal factors implicated in the overrepresentation and recidivism of students with disabilities within juvenile justice. There are four ecological systems interacting with special needs students and juvenile detention: the microsystem,

mesosystem, exosystem, and macrosystem (Crosby et al., 2017). Together, these systems result in the school-to-prison pipeline that is further perpetuated by the juvenile justice system itself. The microsystem includes the very personal, social, and familial influences on youth behavioral issues. The mesosystem is the collaboration of multiple microsystems. The exosystem consists of the policies (or lack thereof) made to support students with disabilities. Lastly is the macrosystem, which encompasses societal norms, values, and systems of oppression (Crosby et al., 2017). In conjunction with one another, the stigmatization of disabilities and the marginalization of disabled students of color in particular within these systems stifle students' well-being and further push students with disabilities from their communities and traditional schooling, resulting in a funneling of special needs students out of schools and into detention centers.

There is a long history of students with disabilities being subjected to punitive measures, from eugenics to the prison industrial complex. Thomas Grisso (2008) examines the social and political frameworks that allow for a large percentage of youth with mental disorders to appear in the juvenile justice system in his article "Adolescent Offenders with Mental Disorders." He lays out the four public institutions in place to help adolescents in need: education, child protection, juvenile justice, and mental health care (Grisso, 2008), and how these systems have failed to address their interconnectedness. Three factors contribute to the high rate of incarcerated youth with mental disorders: clinical, socio-legal, and inter-systemic. Clinically, there is a relationship between mental disorders and aggression. Subsequently, this has led to increased risks of delinquency charges for these students due to perceived "unmanageable behavior", such as impulsiveness and anger (Grisso, 2008, 151). Grisso explores the socio-legal factors involved in the disproportionate rate of youth with mental disabilities within the justice system, specifically

the alterations of juvenile justice statutes in the 1990s emphasizing legal action in direct response to the offense rather than the offender's needs. Lastly, in many cases, juvenile detention centers took the place of declining mental health services to create an inter-systemic reliance on juvenile justice (Grisso, 2008).

There are many accounts of the failures of educational life within juvenile detention centers. Many special education students enter and remain in the justice system because of their frustration about feeling a sense of failure in their regular schools and in centers that are unable to provide a solid curriculum and connection with their students. These challenges are due to lack of resources, sufficient training, high personnel turnover, and lack of available student records (Macomber et al., 2010). Researchers found that 31% of teachers within these facilities reported that students received no form of educational screening prior to their entrance to the center (Macomber et al., 2010), allowing for a tremendous amount of oversight of their special needs. Of the seventy students identified with special education needs in the study, only eight had an Individualized Education Plan (IEP) or any notes about their needs at all (Macomber et al., 2010). This oversight of students' individual needs within correctional facilities is a form of negligence of the educational and emotional needs of adjudicated youth, upholding and furthering schooling inequities based on ability.

Special Education Law Within the Juvenile Justice System

In exploring the special education to juvenile justice pipeline, it is necessary to examine the various laws enacted surrounding the incarceration of youth with disabilities. By studying the legal requirements for both the education of special education students and the education that occurs within detention, I hope to foster a deeper understanding of the systems in place that both

support and inhibit teaching a pedagogy of care to these students. In this section, I will detail the various laws that have been enacted as a result of the disability rights movement and are taken into account during the adjudication process of court-involved youth.

The Americans with Disabilities Act of 1990 (ADA) was created to ban discrimination against people with disabilities in public programs and activities. Students with disabilities are protected under the ADA to receive equal benefits of schooling as their able-bodied peers (Beyond Suspensions: Examining School Discipline Policies and Connections to the School-to-Prison Pipeline for Students of Color with Disabilities, 2019, p. 24). In addition to the ADA, the Individuals with Disabilities Education Act (IDEA) was created to specifically address discrimination against students with disabilities in schools. IDEA theoretically ensures students with disabilities receive a free and appropriate education, the least restrictive environment, non-discriminatory methods of evaluation, Individualized Education Plans (IEP), and participation and involvement of parents and students, etc. (Blanchett, 2009).

However, research examining the resegregation of urban public schools highlights the ineffectiveness of IDEA. Wanda J. Blanchett's (2009) work explores the interconnectedness of special education and urban education. In her article "A Retrospective Examination of Urban Education," Blanchett argues that special education is the new vehicle for enforcing school segregation. She explores the historical treatment of students with disabilities before and after the Brown v. Board of Education decision to integrate public schools and the disparities marginalized populations experience in receiving the free and appropriate education that they are promised in the Individuals with Disabilities in Education Act (Blanchett, 2009). For example, "African American students are still more likely than any other group of students to be segregated and not placed in general education classrooms to the extent of their peers labeled as

having disabilities… 38.6%" (Blanchett, 2009, 378-379). The same marginalized communities that are less likely to have the resources to fight for their legal rights endowed by IDEA are thrown into a school-to-prison pipeline that fosters educational inequalities that are often replicated inside juvenile justice.

There is extensive literature on the legal process of ensuring special education students receive their federal rights while incarcerated. As mentioned above, according to the IDEA, incarcerated special needs minors retain their right to a free and appropriate education in the least restrictive environment. Technically, these laws are put in place to ensure that special education students are afforded these federal rights. However, many personnel within detention centers disregard or are simply unaware of these rights, due to severely insufficient training (Robinson & Rapport, 1999). As a result, in 1999, Robinson and Rapport came out with an article entitled "Providing Special Education in the Juvenile Justice System," which includes two checklists – one for short-term facilities and one for long-term facilities – that detention centers must abide by to educate minors. These checklists include conducting screenings before entry in the absence of a school district-issued IEP, including parental input, implementing various IEP services, and facilitating youth transition back into their communities and schools (Robinson & Rapport, 1999). Working within the system of juvenile justice, Robinson and Rapport's lists are proclaimed necessary steps a correctional facility must take to establish a system of ensuring each student's legal rights and catering to their specific disability within the Least Restrictive Environment, while they are still incarcerated.

There are many barriers within juvenile detention centers that inhibit students from receiving the Least Restrictive Environment that they are promised in the Individuals with Disabilities Education Act. The legal process itself that special needs students and their families

must go through to invoke their right to receive a proper education is incredibly long and convoluted (Geis, 2014). Lisa M. Geis' (2014) paper titled "An IEP for the Juvenile Justice System: Incorporating Special Education Law Throughout the Delinquency Process" explores which aspects of a child's disability must be taken into account in each stage of the delinquency process. For instance, an Autistic student may need to push for breaks during class time, vocabulary changes, repetition in scheduling, and medication requirements (Geis, 2014). Geis also calls into question the system's method of discharging their students, and how it creates a cycle of dependency that further pushes these students into the criminal justice system as adults.

The staff within juvenile correctional facilities are often expected to take on the role of a guardian or mentor in these students' lives, in addition to their other jobs around the detention centers. However, many "staff members working in juvenile correctional facilities face enormous challenges due to their lack of resources, lack of adequate training, and the structural constraints inherent in juvenile institutions and the job itself" (Inderbitzen, 449). They are responsible for taking on a form of guardianship and promoting the growth and well-being of the approximately 100,000 juveniles who will return from these detention centers each year (Inderbitzen, 2012), yet still are largely unequipped to support the students in their care.

Racism and the Overrepresentation of Students of Color Within Special Education

Racism also contributes to the overrepresentation of students of color in special education. For example, in addition to Wanda Blanchett's examination of special education legislation, she also presents the disproportionate labeling of students of color as at-risk using the at-risk indexes of 2003: "American Indian/Alaska Native students had the largest risk index at 13.8%, followed by African American students at 12.4%, White at 8.7%, and Hispanic students

at 8.2%" (Blanchett, 2009, p. 377). Categorized by disability, these statistics are even more drastic: Black children in 2003 were three times more likely to be labeled as mentally retarded and 2.3 times more likely to be labeled as having an emotional disability (Blanchett, 2009). Researchers have found that these disparities in special education placement by race are explained by two practices: the "over-identification" of students of color who do not have a disability in special education and the "under-identification", or the lack of evaluation, of students of color who actually do have disabilities (Beyond Suspensions: Examining School Discipline Policies and Connections to the School-to-Prison Pipeline for Students of Color with Disabilities, 2019, p. 26). These discrepancies in the labeling of special education students place Black and brown students at a disadvantage, often resulting in greater behavioral issues and increases the likelihood that they will be "at-risk" of future contact with the justice system.

While students of color are disproportionately represented in special education, they are also less likely to receive the services they need. Another study by Tamela Eitle examines how districts with a higher population of people of color result in fewer Black and brown people represented in educable mentally handicapped EMH programs (Eitle, 2002). Tamela also explores which parents are most likely to feel comfortable confronting school districts to advocate for their child's educational rights. Demographically speaking, white middle-class parents have felt the highest comfort level with this type of advocacy (Eitle, 2002); conversely, this begs the question of how marginalized communities have been made to feel uncomfortable advocating for themselves to the state, and how this impacts the possibility of their children receiving a proper education.

Advocates for Children, a New York City-based organization, published a crucial report in 2019 entitled "How Underfunding Early Intervention Leaves Low-Income Children of Color

Behind" that revealed the racial inequities intertwined with the Early Intervention (EI) program in New York City under Governor Andrew Cuomo. The report follows New York's EI program as it progressed from being a model for cities around the United States to an underpaid and substandard mechanism that fails to give many students the early developmental boosts they need (Advocates for Children, 2019). In addition, the report provides an examination of the demographic disparities of the children found eligible for EI in terms of race, neighborhood, and socioeconomic status. For instance, they found that "in 2018, one out of every four children found eligible for EI services in New York State had to wait for EI services, losing valuable opportunities to address their developmental delays. In the Bronx, for instance, only 61% of children found eligible for EI services received them by the 30-day legal deadline – less than in any other borough" (Advocates for Children, 2019). This highlights the inaccessibility of quality programs for special needs kids, particularly for low-income families, and raises the question of which children are afforded a head start from their peers.

Class also influences special education placement, which disproportionately affects students of color. Carla O'Connor and Sonia DeLuca Fernandez's (2006) "Race, Class, and Disproportionality: Reevaluating the Relationship Between Poverty and Special Education Placement" provides a necessary critique of the idea that poverty causes more students to need special education. In this text, the authors explore the notion that those born into poverty are exposed to factors that will heighten their risk of being behind developmentally and academically. They highlight known arguments, such as increased exposure risk factors while in poverty and less accessibility to early development programs (O'Connor & Fernandez, 2006). However, O'Connor and DeLuca Fernandez also state that this line of thinking is based on a deficit model of examining low-income students of color, held against the standard of a white,

middle-class, able-bodied student. The authors continue to argue that the schools themselves are the primary issue; they work to "otherize" students who do not fit into the model standard student, allowing them to disproportionately label minority students as disabled (O'Connor & Fernandez, 2006). Their argument is predicated on decades of theory surrounding the overrepresentation of students of color within special education, contesting that it is not poverty itself that causes the increased risk of disability, but the system that ostracizes those in poverty. The authors interrupt the theory on disabilities as a result of social and educational labeling rather than socioeconomic status, contextualizing and complicating the investigation of why marginalized students are disproportionately represented in special education programs.

DisCrit: The Intersection of Disability Studies and Critical Race Theory

DisCrit is a theory that highlights the interconnectedness of Disability Studies and Critical Race Theory. This theoretical framework describes how race and ability work in tandem with one another to maintain oppressive social structures in both our society as a whole and in our education system. DisCrit is an important and necessary lens to utilize when examining schooling practices, policies, and inequities. I use DisCrit as my theoretical framework for investigating the experiences of special education teachers supporting their adjudicated youth.

Subini Annamma, David Connor, and Beth Ferri explore DisCrit in their book entitled *Dis/ability critical race studies (DisCrit): theorizing at the intersections of race and dis/ability* to examine these intersections within the education system in the United States. They study both how Black students and other students of color are disproportionately represented in special education and how the failure of many special education programs to support these students directly influences high incarceration rates and the racial gap in education. For example, they

discuss the additive nature of DisCrit and how including ableism in conversation about race in the United States is necessary (Subini Ancy Annamma et al., 2013), as they are both social constructs used to marginalize people from society. Annamma et al. claim that disability has been used as a justification for racial segregation, criminalization, and discrimination. For instance, "African American students are '67% more likely than white students with emotional and behavioral problems to be removed from school on the grounds of dangerousness and 13 times more likely than white students with emotional and behavioral problems to be arrested in school'" (Annamma et al., 2013, p. 7).

DisCrit provides a solid foundation to examine the ways special education and racism have worked in tandem with each other to perpetuate an education system that benefits the current social order by specifically marginalizing disabled students of color. The authors propose seven tenets of DisCrit that should be followed in order for the theory to be useful: prioritizing the examination of the interdependence of ableism and racism in reinforcing existing hegemonic social structures; deconstructing the perception of racial or disabled identity as singular; being aware of labeling as a form of marginalization from the Western norm; prioritizing underrepresented voices; studying the connections between the tangible legal and historical side of Critical Race Theory and Disability Studies; understanding whiteness and ability as property, and that the successes of those outside these groups have only occurred when their interests have converged with those who hold this property; and demanding both activism and resistance (Annamma et al., 2013, p. 11). I will be using these seven tenets as both a lens and as a set of guidelines throughout my research process and analysis.

Subini Annamma's first chapter "Public Schools and the Criminalization of Difference – Destruction and Creation" in her book *The Pedagogy of Pathologization*, introduces her

ethnographical research on public schools as an entrance site for many marginalized girls of color with disabilities into the juvenile justice system. Annamma describes the lack of a support system for many of these girls, especially from the schooling institutions they attended, and the subsequent pathologization and criminalization of these girls within the public school system. The author accounts for the creative destruction, the de-facto segregation, and the lack of proper healthcare that Black girls within the public school system experience, leading to future involvement with the court system (Annamma, 2018). Given the high number of youth in juvenile justice being labeled as having an emotional disability, Annamma disaggregates the statistics by race to demonstrate the alarming interconnectedness of race and disability in school pushout in the 2000s: 48% of white students with emotional disabilities graduated high school, while only 27.5% of Black youth with emotional disabilities graduated.

In addition, Annamma found that 58% of emotionally disabled Black youth dropped out of school, a stark number in conjunction with the fact that of all the students with emotional disabilities who drop out of high school, 73% were arrested within less than five years afterward (Annamma, 2018, p. 40). Annamma utilizes interviews to serve as evidence of a lack of quality special education given to Black girls, especially in tandem with research on special education afforded to middle-class white students.

The commodification of schooling and the structural inequalities between white children and children of color are "magnified in and through special education" (Annamma et al., 2013, p. 170). Similarly, Susan Baglieri discusses the pathologization of poor students of color that occurs as whiteness and wealth are heralded as the standards of a smart student. She challenges the notion of labeling an individual student as "at risk", stating it is the result of societal ostracization rather than an indication of academic ability. Baglieri uses a DisCrit lens to propose

multicultural and inclusive curriculum reform, utilizing Universal Design for Learning (UDL) as a theoretical framework for education as a liberatory practice. Her proposal has three tenets: undermining the meritocratic schooling structure embedded in our education system, shifting the purpose of curriculum to be in service of the communities the schools are in, and redistributing the control back to the communities most affected by disaster capitalism (Annamma et al., 2013). Baglieri emphasizes the importance of DisCrit in the conversation of curricular and school reform in every classroom.

Special Education as a Vehicle for the School-to-Prison Pipeline Throughout The Juvenile Justice System

Special education has been used to streamline students of color into juvenile justice. While many of the experiences my participants had with court-involved special education students were with boys of color, I would be remiss in ignoring the overwhelming statistical evidence provided by Monique Morris detailing the ways the education system pushes Black girls out of schools and into the carceral system. In 2013, 35% of the girls involved in the juvenile justice system were Black, a stark number when paired with the fact that Black girls make up less than 14% of all the girls in the United States (Morris, 2018). The book describes how Black girls are much more likely to be diagnosed with a learning disability and much less likely to receive adequate special education, both while incarcerated and in public schools. Morris also explores the horrors of the schooling that takes place in juvenile detention centers and the disproportionate disciplinary action taken against Black girls who have learning disabilities (Morris, 2018). One of the girls she interviewed was a Black girl named Mia, who described the ease at which correctional personnel enforce strict disciplinary procedures at school, such as suspensions. Mia explained that suspension within her detention center meant

they cannot have recreation time. In other words, they must stay in their room. Morris compares this form of punishment to solitary confinement, except in this case, for minors (Morris, 2018). The personal interviews Morris conducts reveal a lack of trauma-sensitive education within juvenile detention centers, inevitably leading to the recidivism of many girls of color.

Keeping in mind the overrepresentation of Black and brown students diagnosed with emotional/behavioral disorders and learning disabilities in the classroom, the numbers become even starker when studying those that are incarcerated. Of the 93,000 youth incarcerated in the United States, 47.4% are labeled with an emotional/behavioral disorder and 38.6% with a learning disability. This starkly contrasts the 7.9% of youth with emotional/behavioral disorders and 46.6% with learning disabilities within the regular education system (Houchins & Shippen, 2012). With this knowledge that "African American youth are incarcerated at six times the rate of Caucasian youth while Latinos are incarcerated at twice the level of Caucasians" (Houchins & Shippen, 2012, p. 267), it becomes clear that special education has become a conduit for Black and brown students to enter the criminal justice system.

Reintegrating Students Back Into Schools

After students are released from detention, they face even more challenges to their educational well-being. The education received while incarcerated often does not match the material in their school district's curriculum and produces inconsistencies in their learning. Moreover, students thus return to their schools already falling behind academically, whilst also being forced to bear the brunt of stigmatizations and prejudices of the school staff. These factors directly contribute to the high rates of recidivism for students returning from the juvenile justice system. It was found that of all court-involved youth, those that were sent to a residential facility

had a recidivism rate of 85%, while those who did not receive a residential placement reoffended at a rate of 56% (Rangel et al., 2020). Both of these statistics are alarmingly high. Virginia Rangel et al (2020) researched studies on school reentry for juvenile justice-involved youth and found only one study that amplifies the voices of adjudicated students. This study found high levels of anxiety amongst students about returning back to school. Rangel et al's study also discusses a lack of research on the importance of culturally relevant teaching practices specifically with regards to school reentry. They found that in order to promote successful reintegration into public schools, educators must broaden their horizons to help students outside of the school building as well (Rangel et al., 2020).

Specifically for youth with disabilities, once these students have entered the juvenile justice system, they are often subject to even more discrimination and stigmatization that make them more likely to come into contact with the justice system again. A study examining this cyclical pattern emphasizes the importance of the different procedures that facilities, personnel, and school districts should have in place to reintegrate students leaving the juvenile justice system back into the public school system, and ways to minimize high rates of recidivism. A study found that after release from correctional facilities, only 35% of youth engage themselves in school or work (Sinclair et al., 2016). The researchers of this study examined the low perceptions that school personnel have of juvenile offenders in special education, which affected both the achievement and dropout rates of these students after they return to public schools, and often contribute to repeat offenses. Out of all the personnel researched in this study, 21.9% agreed that their special needs students who had returned from a correctional facility were not able to self-manage, 36.5% agreed these students could not show empathy, and 33.7% agreed the students did not possess self-advocacy skills (Sinclair et al., 2016). Many school personnel

reported a lack of belief that these students could be successful in the future, graduate from college, become financially stable, or stay out of the criminal justice system. It is no wonder so few returning students become engaged in their schoolwork.

This study also utilizes the Every Student Succeeds Act (ESSA) to advocate for programs that will prevent school dropout, aid transition, and provide support for youth and their families (Sinclair et al., 2016). The authors examine the many factors at play in keeping many disabled youths within a cycle of criminality. If schools wanted to work around and challenge the carceral system we have today, they must provide more adequate transition services, culturally relevant curriculum alterations, and a much higher vetting process to determine teacher biases.

One of the ways school districts have attempted to reform their education system away from punitive disciplinary measures and zero-tolerance policies is through restorative justice practices. Restorative justice stems from practices performed by Indigenous peoples in both Americas and New Zealand, working on "fostering relationships, empathic dialogue, and community accountability" (Sandwick et al., 2019, p. 3). Most schools have begun utilizing restorative justice particularly to counter high suspension rates that are prevalent across the country, which are known to result in poorer academic performance, increased school dropout, and a higher likelihood of contact with the justice system (Sandwick et al., 2019). In practice, restorative justice encompasses "various forms of talking circles (e.g., for building community, addressing harm, providing support, facilitating reentry); mediation; informal one-on-one conversations; social-emotional learning; mental health support; and more" (Sandwick et al., 2019, p. 4). There have been some really positive studies on the results of restorative justice: After New York City public schools attempted to integrate these practices into their curriculum,

for instance, there were 49% fewer suspensions in the 2016-2017 school year than in the 2012-2013 school year (Sandwick et al., 2019).

However, there has been some pushback on the effectiveness of restorative justice. Reports have claimed that these practices were difficult to implement in the school environment. Further, one report stated that teachers had more trouble maintaining order in their classroom. Additionally, this report claimed that "restorative justice also requires a high degree of student buy-in. Students cannot be forced to talk about their grievances face-to-face with their classroom enemies. It's a voluntary process and not every kid wants to talk" (Barshay, 2019). If students are unwilling to participate in these practices, the objectives of restorative justice may become futile.

<u>Providing A Pedagogy Of Care To Special Education Court-Involved Students</u>

Given the ways in which schooling has historically harmed students, I hope to utilize Paulo Freire's advocacy of "education as freedom" to emphasize the importance of educators working alongside their students as co-constructors of knowledge. Freire's 1968 book *Pedagogy of the Oppressed* laid the framework for decades of educational studies stressing the liberatory nature of education (Freire, 1968). In this book, he warns readers of the dangers of "banking education." In his words, "in the banking concept of education, knowledge is a gift bestowed by those who consider themselves knowledgeable upon those whom they consider to know nothing" (Freire, 1968, p. 72). He redefines education by aligning both the students and the teachers as co-constructors of knowledge, working together to create an education that promotes critical thinking and rejects existing systems of oppression (Freire, 1968). When conducting research about students who have been, or who are at risk of, incarceration, I used his work to keep my study rooted in the idea of education as a liberationist practice.

In the discourse surrounding education reform, there has been discussion of the significance of care as a main factor in teaching. Julia Ransom's (2020) empirical research on "Love, Trust, and Camaraderie: Teachers' Perspectives of Care in an Urban High School," utilizes interviews with two teachers to determine their ideas on how to care for students. She describes theories of care, and care ethics, to encompass the teacher being "concerned with the needs of her students and will demonstrate this to them. The carer is also attentive to the expressed needs of the student, is reflective, and responds to students in a way that maintains the caring relation" (Ransom, 2020, p. 906). In this care theory, quality care positively impacts students' academic outcomes. Building close relationships with students through care allows for discipline to become more meaningful and attentive, and take a student's daily life and struggles into account. Ransom emphasizes that care does not signify acting nice. Rather, care encompasses "academic and emotional support, teachers' interest in students' life outside of school, and a focus on the needs of the student" (Ransom, 2020, p. 905).

Ransom's theory of care also invokes the importance of trust: "Trust at all levels of relationships within schools between teachers, students, and administrators is an important aspect of the school environment" (Ransom, 2020, p. 917). Particularly with disciplinary measures, Ransom highlights the importance of culturally relevant care for Black and brown students, including the trust teachers must have that students will "do the right thing."

Significantly, throughout my research, I did not come across any accounts specifically examining the experiences of educators exhibiting care in their support of special education students throughout the justice process. With this discovery, I decided to embark on an investigation to determine the unique experiences of the teachers and counselors, both within

detention and within public schools, in promoting the care and support of incarcerated,

court-involved, and "at-risk" special education youth.

CHAPTER 3: Methodology

<u>Introduction</u>

My research examines the intricacies of the special education to juvenile justice system pipeline, the way this pipeline essentially bars educators from providing the care and support that their students need, and how these educators have worked to overcome these obstacles. I am interested in researching the support systems schools and other educational programs have in place for their special education students involved in (or who are at risk of involvement in) the juvenile justice system. Additionally, I will assess the support, or lack thereof, given to these students from within the detention centers. I will be investigating the experiences of educators, mainly teachers and counselors, with ensuring their special education students' wellbeing, starting from modes of prevention to post-release reintegration into public schools.

Exploring the perspectives of special education teachers who work with students, particularly students with IEPs, within schools with a high rate of incarceration gave me a deeper understanding of the ways schools attempt to address each student's individual needs. The overrepresentation of special needs students in the juvenile justice system also reveals the importance of interviewing guidance counselors as well as teachers, as many students with an IEP require some form of counseling within their school day. I made sure to include the voices of counselors within my research. Through this study, I was able to better understand what teachers and guidance counselors have witnessed with regards to the systemic support, as well as the pedagogical care, of adjudicated youth.

My methodology includes five semi-structured interviews with various educators, teachers, and guidance counselors. My research was guided by four primary questions that helped contextualize my exploration of special education within the juvenile justice system: 1)

What has been their experience with supporting their special education students who are "at-risk" of, or are returning from, incarceration? 2) How do the experiences teachers and staff have with students with disabilities compare to their experiences with juveniles without special needs? 3) What are the limitations and barriers that inhibit this support? 4) How do educators provide care in the pedagogy and counseling of their previously incarcerated students? This study was presented to the Vassar Institutional Review Board and received exemption from a full review.

Research Design

Semi-Structured Interviews

I used semi-structured interviews as my primary research methodology for this study. This structure allowed me to enter with a set of questions and topics to discuss, while also leaving room to divert the conversation in other directions by asking probing questions that prompted more open responses (Brown & Danaher, 2019). With this methodology, I utilized the experiences of educators to explore commonalities and differences in the support systems in place to emphasize care in the educational well-being of their students. The flexibility that comes with semi-structured interviews provided me with "more methodological freedom and room for creativity in qualitative research than it seems at first glance"; as such, the information I collected allowed me to go back after the interviews for a "reformulation of the research question… a sign for progress and an increasingly better understanding" (Diefenbach, 2009, p. 890). Additionally, these open-ended questions helped elicit responses that were interpretable in a variety of ways (Diefenbach, 2009).

I conducted five semi-structured interviews with six educators over Zoom. Initially, I wished to conduct interviews with teachers and guidance counselors who worked within juvenile detention. I called up local detention centers and correctional facilities, the deputy chief of Dutchess County, and Dutchess Family Services. I naively believed I would be able to work my way through the bureaucratic juvenile justice system and secure a few interviews for this thesis. I soon realized that it was nearly impossible to set up an interview in this manner, and decided to reframe my approach. Instead of interviewing educators of special education students within the justice system, I decided to examine the experiences of educators outside of detention. In other words, I mainly interviewed school teachers.

My process of recruitment involved reaching out to educators I knew personally and asking if any of their colleagues or past colleagues had experience with their students entering the juvenile justice system, and were willing to speak with me. The responses I got were overwhelmingly positive; it turned out that almost everyone I reached out to knew someone who had the experiences that I was looking for. After emailing these contacts, I received six responses, all willing to set up an interview time.

The first woman I interviewed was a kind and talkative Latina woman – I will call her Diana – who has been working as a guidance counselor for 17 years. This past year, she left her job at a middle school in Washington Heights in New York City and started working at a renowned public high school in midtown Manhattan. I was able to get in touch with her through an old teacher of mine at my own high school.

The next person I interviewed was a man I will call Shawn. He is the Dean of Students at an elementary school called Reach for Tomorrow Charter School in Jamaica, Queens. He has

worked at this school for two years, and at another charter high school beforehand for eight years. Prior to becoming an educator, Shawn worked as a counselor in a juvenile detention facility in New York for an organization that taught alternative detention programs. Shawn is an African American man, which he said was very important when teaching other Black kids in his community. I got in contact with Shawn through a family friend who works as a teacher at Reach for Tomorrow.

My third interview was with someone I will call Sharon, a white woman who is the Executive Director of Adolescent Consultation Services in Massachusetts. She is a good friend of my aunt, who put me in touch with her. Her job at ACS involves working with court-involved youth to prevent future incarceration and provide treatment programs to them and their families.

My fourth interview was with the two co-Vice Principals at a public middle school in Manhattan that I will call 12 Wallace. I have named the two Vice Principals Isabel and Miranda. Both women are white. Another family friend works at 12 Wallace alongside Isabel and Miranda and helped me set up this interview. They spoke to me specifically about one student, who I will call Reggie, who was in and out of the justice system, and their experience attempting to support him.

My last interview was with a man whom I will call Sam. He is a guidance counselor at a public high school -- I will call it Grover High School -- whose building is connected to five other schools in the Bronx. Sam is Black and has been working as a guidance counselor for four years. A friend of mine used to teach at Grover with Sam and helped connect us for this interview.

All of my participants have experiences with students with special needs who have come in contact with the juvenile justice system. I am grateful to these educators for being so willing to share their experiences and stories with me.

Alice Brown and Patrick Danaher describe the importance of utilizing CHE (Connectivity, Humanness and Empathy) principles when conducting semi-structured interviews. I followed the guidance of these principles, which "align with the practices of social constructivism, whereby knowledge is co-constructed in environments that foster dialogue and engagement and that help to scaffold learning and reflection" (Brown & Danaher, 2019, p. 79). These tools allowed me to promote a comfortable interview environment, foster fruitful discussion, and hopefully elicited truthful and encouraging responses (Brown & Danaher, 2019).

Interview Protocol

For all of these interviews, I employed an interview protocol that I have attached in Appendix A. This protocol includes fourteen questions crafted to help me better understand the interviewees' perspectives and experiences regarding the current system of sending students through the juvenile justice system, and whether it promotes the educational wellbeing of special needs youth. According to Rinaldo and Guhin (2019), interviewers must keep in mind "why respondents present themselves in a particular way in this interaction, why they use (or do not use) particular narratives, as well as how the presence of the interviewer, and past or potential future interactions between the interviewer and the respondent might influence the interview" (Rinaldo & Guhin, 2019, p. 26). In my interviews, I found it was imperative to keep the words of Rinaldo and Guhin in mind. My protocol began with an opening statement that I read to the interviewee to explain my intentions of the interview and why I was writing this thesis. In

addition, I reviewed the consent form with the interviewee and asked them to sign it. My consent

form can be found in Appendix C. Before the interview began, I told them we could skip any

questions that made them feel uncomfortable and asked them if they had any other questions. I

then asked for permission to record the interview. A few examples of the interview questions are:

1) Are you trained in special education? Have you always taught special education?
2) Are you familiar with the procedures of obtaining an IEP for students going through the juvenile justice process?
3) After students are released back into your school, is there an adjustment period? Is there any protocol for reintegrating students back into public schools?
4) Is there anything added to the curriculum to assist and support students in this reintegration process? Do any specific instances come to mind?
5) Is there a specific form of care that goes into the teaching of students who have been incarcerated?
6) Do you think correctional facilities are places that promote the education and wellbeing of their special needs students just as much as public schools? Do you believe being sent to these facilities is the best way to support students who come into contact with the law? Why/why not? What are other ways to support these students?
7) Do you believe the skills taught in detention centers could be learned elsewhere?

For the full list of questions, as well as the entire interview protocol, please refer to

Appendix A. Most importantly, I think it was beneficial to begin the interviews with

straightforward questions before asking the more complex questions to ease my interviewees into

the discussion and foster a conversational environment.

Analysis

After I conducted my semi-structured interviews, I analyzed the data to find

commonalities and differences between the experiences of the educators. I transcribed and coded

the data as my primary method of analysis. According to Saldaña (2009), coding allows for

commonalities and patterns within my research to be grouped together in smaller units that

capture the essence of each instance (Saldaña, 2009). Saldaña lists six characterizations of

coding patterns: similarities, differences, frequency, sequence, correspondence, and causation (Saldaña, 2009, p. 6). For a full list of my coding schema, please refer to Appendix B. A few examples of these codes are: 1) Care/support in pedagogy 2) Educator frustration 3) Environmental barriers 4) Teaching special education students and 5) Reentry. As I conducted these interviews with the educators, I developed a better idea of the patterns that arose.

In addition to creating a coding schema for my data, I included memoing in my analysis process of the interviews. As Saldaña describes in his book *The Coding Manual for Qualitative Researchers*, "the purpose of analytic memo writing is to document and reflect on: your coding process and code choices; how the process of inquiry is taking shape; and the emergent patterns, categories and subcategories, themes, and concepts in your data -- all possible leading toward theory" (Saldaña, 2009, p. 32). I employed memo writing as a conversational space about the information I learned from the codes. Memoing was a site for thought organization and realizations that I later transferred and utilized in my final analysis.

In my analysis, I emphasized examining how the limitations schools face in reintegrating students into public schools may or may not reinforce the stigmatization of special needs students. I utilized my findings to study the ways this works in conjunction with DisCrit's exploration of the societal factors streamlining students with disabilities, particularly Black and brown students, into the carceral system, to inhibit a possible pedagogy of care to incarcerated and formerly incarcerated students.

I also employed journaling as an important contribution to processing the data I received. Journaling has always been a useful mechanism for my own reflections, reminders, worries, excitements, and disappointments. In contrast to memoing, journaling was a site for

understanding my thoughts and discoveries. Looking back on my journal permitted me to write memos with concrete ideas about what I learned.

DisCrit, a theoretical framework infusing both Disability Studies and Critical Race Theory, was embedded in my analysis and allowed me to explore the intersections of special education and the incarceration of Black and brown youth. As youth of color have always been disproportionately represented within the juvenile justice system, it was imperative that my research included a critical investigation into the perpetuation of this cycle. Much of my work is predicated on the thinking and writing of Subini Annamma, whose work argues that Black girls in particular are subjected to a pedagogy of pathologization. In other words, Black girls are hyper-surveilled, hyper-labeled, and hyper-punished in schools resulting in their overrepresentation in both special education programs and in the juvenile justice system (Annamma, 2018). Annamma pushes against the often racist perceptions teachers have of their students by explaining the carceral logic – the dependence on the concept of imprisonment within social discourse – behind the idea of "smartness", and explores the positionality of students repeatedly denied this label in favor of more disabling ones (Annamma, 2018).

As I examined the various viewpoints of the teachers and staff within public schools as well as within detention centers, I utilized both top-down and bottom-up theory in the analysis of my research. The conclusions I come to will be predicated on the literature and theory of researchers and thinkers that have come before me, as well as the discoveries I made throughout my interview process, to examine the special education to juvenile justice system pipeline.

I also utilized conversations with my advisor, my professors, and my peers to further my analysis of the interviews I conducted. I have always found it beneficial to talk through my research, my discoveries, and my confusions with other people to truly grasp an understanding of

the conclusions I have come to. I appreciate the help and time spent with my professors, my advisors, and my peers with helping me organize my thoughts and ideas in creating this methodology.

Ethics

Throughout my methodology, it was essential to maintain and promote ethical research processes. It was critical to be continually aware of my positionality as a young (and perhaps naive) researcher, as someone who has never been in contact with the justice system, as someone who attends an elite private college, and as an able-bodied woman. As Brown and Danaher explain, "respecting people and taking account of their well-being' (436) should define research ethics" (Brown & Danaher, 2019, p. 78). At the beginning of each interview, I reviewed the material in the consent form with my participant and asked once again if I had permission to record. I also made sure to ask them if they had any questions or concerns regarding it. In addition, I will be sending a final copy of my research back to all my participants.

Limitations

As Diefenbach (2009) explains, there are numerous possible limitations embedded within semi-structured interviews. These limitations include taking the subjectivity of both myself (the researcher) and the participants into account, especially in the case of unconscious bias (Diefenbach, 2009). It is possible that the participants decided to withhold information or memories for fear of violating confidentiality, and there is always the possibility of the interviewees altering their accounts of past experiences. Semi-structured interviews themselves allow the researcher to come to their own conclusions based on their interpretations of the

participants' words, which also may have contributed to the insertion of my own unconscious bias into the study (Diefenbach, 2009).

At the beginning of my research, I anticipated that there would be limitations to my research primarily because of the sensitivity of the research subject matter. I introduced my interview questions with an explanation that there were no right or wrong answers and that my role was not to judge them on their words and experiences, which hopefully minimized this possibility.

Conclusions

After initially outlining each portion of my methodology, many aspects of this chapter underwent revisions over the course of my research process. Specifically as I altered the type of outreach I conducted to find participants who were willing to be included in my study, the focus of my thesis narrowed itself to primarily center the voices and experiences of educators.

Throughout my interviews, I negotiated my own privileged positionality by positing myself as the receptor of the information collected in the study. I made it clear to my participants that I did not have personal experience with the subject matter and that their input was invaluable to my own knowledge production. I wanted to emphasize the humanness of the students about whom my participants and I were speaking, highlighting their experiences as people, not as subjects to be used as data. I also did not want my partiality to impact our conversations. I am grateful for the many different stories my participants told me and I hope by avoiding leading questions or emoting reactively, I gave my participants full reign to share their very real experiences.

Research never goes exactly as planned; some of the interview questions elicited tangential conversations that veered away from my set of questions. These unintentional conversations provided me with critical data that I was able to include in my study. However, throughout my research process, I used this chapter as a reference to guide the entirety of my methodology.

CHAPTER 4: Educator Experiences Implementing Critical Care in their Pedagogy

Introduction

In my research, I found a great many examples of my interviewees going above and beyond not only to support, but also to care for their students who had come in contact with the justice system. My interviewees had a lot to share with me about their experiences, as most of them had worked in the field for many years. In addition, the experiences of each participant varied greatly, specifically between those who worked as counselors, those who worked as teachers, those who had an administrative role, and those who worked outside of a school institution.

This chapter is divided into two sections based on the data I collected on how educators care and support special education students who are involved with, or are at risk of involvement with, the juvenile justice system: experiences providing personalized attention in school and providing personalized attention outside of school. Within these interviews the participants expressed their opinions, frustrations, and detailed descriptions of providing care to adjudicated and "at-risk" students with special education needs. Each of my interviewees came from different backgrounds and from different schools of thought regarding the special education to juvenile justice pipeline and the support necessary for court-involved youth. However, the most prominent commonality throughout each interview was the passion and desire to help their students, through whatever means they deemed most important. This research allowed me to explore how educators enact critical care for students with special needs both within school and within the juvenile justice system, to keep track of commonalities between those dedicated to students' wellbeing.

In my interviews I found many perspectives and examples of care given to special education students throughout the juvenile justice process. The interviews highlight these various institutional agents within the juvenile justice system in order to understand the vast differences in the experiences of those educating and counseling students who have been deemed "at-risk". During my research, I was surprised at how open my interviewees were with sharing their memories and anecdotes about their past experiences. I found that the conversations I had with these educators became opportunities for my interviewees to reflect on their time with students, air their grievances, and openly discuss their opinions.

Personalized Attention in Curriculum and Schooling

The Importance of Understanding Special Education Law

In my exploration of the pedagogical care educators use to support their special education students going through the justice system, I found many instances of teachers and counselors providing support specifically in their curriculum to help their students. Within my larger code of "Care/support", my first child code was "Personalized attention in curriculum and schooling," under which I incorporated examples of care and support given to students within the classroom or school building. When coding, I utilized Ransom's description of care ethics to determine which depictions of teaching demonstrated true care, where the educators had taken time to understand their students as complex individuals, and which were just examples of teachers being "nice" (Ransom, 2020).

When examining the support my interviewees advocated for in their conversations with me, they highlighted the importance of truly understanding and utilizing special education law. First and foremost, they all emphasized that students who need special education must receive

the services to which they are entitled. Shawn, the Dean of Students at Reach for Tomorrow Charter School, explained the process in his school of getting an IEP: "It takes a special ed. coordinator, the counselors, deans, teachers, it's a pretty much school-wide collaboration." Schools must be committed to aiding their special education students as a team if they are serious about providing the free and appropriate education promised to students under the Individuals With Disabilities Education Act (Blanchett, 2009).

Shawn also had experience working as a counselor in a juvenile detention facility. He highlighted the importance of special education law, stating that correctional personnel are much less likely to be able to support their youth without knowledge of special education and the services that are required for each student. In his words, "knowing about the special ed. Law, the disability, the 12 different characteristics of the different disabilities, we can definitely attack things differently."

In schools, initiating the IEP process itself is a form of care. In my interview with Isabel and Miranda, the two Vice Principals at 12 Wallace, a public middle school in New York City, they described their experience with Reggie, a student who was constantly in contact with the justice system and rarely came to school at all. Reggie had many familial issues, including a neglectful mother, a terminally ill sister, and a semi-absent father. They explained that he had over a dozen arrests and had a temper. Even before he received an IEP, the Vice Principals attempted to hire a paraprofessional for him and implement many different interventions to help him stay in school and avoid arrests. These efforts illuminate the various measures these two Vice Principals took in an attempt to educate this one boy within school, personalizing the attention and curriculum to fit his needs. Whether these extensive interventions were successful will be explored in the next chapter.

Speaking Their Language, Love, and Praise

One theme that I found when examining pedagogical care given to court-involved students was my participants' descriptions of "using their language," providing love, and incorporating praise into the curriculum. The Vice Principals at 12 Wallace furthered their descriptions of their constant efforts to support Reggie: "We took it as our job obviously to educate him, but really just to love him. He would come to school at 1:00 o'clock and he would hang out in the main office and we would just buy him lunch and sit with him and talk to him." This description illustrates school as a place to provide love, in the absence of a loving family, as well as a place for education. Moreover, it is evidence that there are so many possibilities to provide care and compassion to students who have been mixed up in the justice system. The time these educators took to "just buy him lunch and sit with him and talk to him," fostered an environment that felt safe to him whenever he did come to school. This example demonstrates that by merely speaking and spending time with students in need, students who are deemed "at-risk" can feel supported by their school.

Diana is a guidance counselor who spent 16 years counseling middle school students at a school in Washington Heights and is completing her first year as a guidance counselor at Pleasantville High School in Manhattan. Before working as a guidance counselor, Diana worked for the Department of Corrections for over seven years at adult correctional facilities. She described trust as central to her relationships with her students. Building a trusting relationship allows educators and counselors to support their students as best as possible. Echoing Ransom's (2020) description of being built on honesty and mutual respect, Diana explained that "part of being a counselor is also not sugar coating the truth." The trust she built with her students

allowed some of them to feel comfortable coming back to her after being incarcerated to ask for help applying to various programs or to ask to do community service to share their experience with other "at-risk" youth. These youth, according to Ransom (2020), must receive an education in which the teacher believes they will do what is right from the very start of their relationship.

Trust is also built by ensuring that students understand what is being taught to them: "in order for them to understand what you're saying to them, you have to use their verbiage, their language" (Interview, Diane, 01/11/2021). Speaking to students in a manner that is most comfortable to them is incredibly important to provide the best support. Trust is especially needed in the teaching and counseling of students who are going through the juvenile justice process, as many of these students do not have support systems outside of the classroom. By emphasizing comfortability and care in the teaching and counseling of special education students involved in the justice system, school becomes a much more fulfilling and accessible environment.

Positive schooling experiences are also enforced through praise. Shawn, the Dean of Students at Reach for Tomorrow illuminated the importance and effectiveness of praise and relationship-building being embedded in the pedagogy of a teacher or counselor. He lamented on how easily educators fall into a negative mindset with their students, often pointing out only when the student does something wrong and never when they excel. He expressed that incorporating praise into the classroom contributes to increased student success. In addition to creating more positive academic results, I believe that praise in an educator's pedagogy likely also improves a student's mental health, sense of self-worth, and could further prevent them from "acting out" in the future.

Restorative Justice as Prevention

In interviews with Shawn, he brought up restorative justice. As detailed in my literature review, in my research I have come across both positive and negative perspectives on the success and efficacy of restorative practices: restorative justice as essential to healing conflicts in place of punishment, restorative justice as insufficient in supporting students, etc (Barshay, 2019; Sandwick et al., 2019). However, I tried to keep a completely open mind during his descriptions. According to Shawn, becoming trained in restorative practices has been essential for him to support his students and prevent future incarceration of his special education students. In his words, restorative justice "is all about getting the offender, 'the offender,' and the victim together to hash out their issues, because they're having like a mediation." He felt it was important to add that "they're not so much pointing fingers, it's all about how can we identify, yes, I was wrong. This is what happened. How can we avoid getting back there again?"

He came to the interview with his data memorized, as he was planning on holding a talk on the school-to-prison pipeline the next day. He became trained in restorative practices when he started working at a high school that had over 500 students, with 300 suspensions each year. This high school was a charter school in East Harlem. He described the majority of the suspensions to be repeat offenders. I asked him if he could estimate how many of those students were special education students, and he responded very candidly:

> More than half were special ed… Way more than half, I'm sorry. And that because, like I said, they didn't have nobody there at the time who knew about sped law, about the disabilities, the manifestations, they didn't know that. So when I brought it in and we had a new special ed coordinator come in, and we got together and revamped, especially, we need to take it serious. Disabilities are serious. We need to make sure that our kids who have these disabilities don't end up in places where they don't have the supports or resources that they need.

By the following year, these restorative practices reduced suspensions from 300 to 86. This is a 71% reduction rate. Shawn describes the dangers of suspensions, claiming they are a "free ticket" out of school and to the streets. He emphasized that restorative practices work to support inner-city "at-risk" youth and avoid future interactions with the juvenile justice system. In other words, Shawn saved a lot of kids from disaster.

In Monique Morris' book *Pushout,* she details the systematic use of school pushout today, particularly in the education of Black girls. She highlights that policies such as suspensions disproportionately impact Black students and have contributed to the funneling of students of color out of the classroom, onto the streets, and subsequently into the hands of the juvenile justice system (Morris, 2018). Shawn's descriptions of his efforts to reduce suspensions echo Morris' warning of the insidious results of these policies. Specifically, he believes that his implementation of restorative practices allowed him to divert students away from the justice system and ensure that as many students as possible did not end up in a facility like the one he used to work at.

His current position is as the Dean of Students at an elementary charter school in Jamaica, Queens. During his first year at the elementary school, there were over 100 suspensions. In kindergarten alone, there were over 80 suspensions. He described being shocked at this number, wondering what such young children (he referred to them as "babies") could possibly be doing to warrant them being removed from the school building. He was given permission to implement restorative practices at this school and five years later, during the six months before schools shut down due to the coronavirus pandemic, there had only been seven suspensions. Shawn claims he used restorative justice to prevent student incarceration by

working to foster a caring environment with young children and actively changing the way the schools he worked at viewed justice.

Keeping Students in the School Building

Prevention takes many forms. Through my research, it has become clear that there are countless avenues to protect, support, and divert students from incarceration. A common theme I found throughout my interviews when examining prevention was the effort to keep students in the school building. This itself could divert students from coming in contact with law enforcement. The Vice Principals of 12 Wallace spoke of the difficulties they had with educating Reggie: "he was high all the time and slept. So it didn't matter what we would have wanted to do, have a conversation with him, come up with a plan. Think we put him on an independent study, nothing mattered. He would just come and sleep in the main office." The last part of that quote was what really struck me. They attempted to help this child in a variety of ways; however, at the end of the day they accepted his decision to sleep in the main office rather than attend class. They described Reggie as a special circumstance, more difficult to care for than other students. He hardly ever came to school. I wondered what their process was of allowing him to sleep all day with the office administrators.

The importance of simply keeping students on school property was emphasized in my conversation with Shawn. In his explanation of the dangers of suspension, he explained the negative effects of being kicked out of the classroom. In his opinion,

> That tells a kid that they're not wanted… it may sound small, a classroom, but if you look at the bigger picture, in their kid's mind, it's a school. Right? They don't want me in the class. They don't want me in the school. So now I'm not coming. Now I'm going to get involved in something outside, now I'm in jail. That's how it happens.

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Keeping students engaged, keeping them inside the school building, and fostering a supportive environment were common avenues for prevention for all of my interviewees. It also allowed the educators to feel in control of students' knowledge production, in addition to their safety.

Curriculum Adjustment

Curriculum is important to study when examining the ways educators and counselors support students pedagogically in the classroom. Diana, the current guidance counselor at Pleasantville High School, found it important to address the justice system in the curriculum at the middle school where she used to work. Despite being a guidance counselor and not a teacher, she described creating a mini curriculum for the students, many of whom had parents or other family members who had been incarcerated. She explained that the mini curriculum consisted of

> What is a felon, you know, starting from the beginning of the system. Like entering, not just the juvenile system but the criminal justice system as a whole as an offender... And then we would have quite a few sessions dealing with the beginning of the criminal justice system up until you get sentenced.

When I asked how her students responded to the mini curriculum, she said "they responded well." I thought a lot about this mini curriculum of Diana's after our interview. I initially felt frustrated at how ingrained the carceral system was in our everyday life, even angry at the thought of entire classes being devoted to teaching it to middle school students. On the other hand, I had to remind myself that this carceral system directly impacted the daily lives of the students at this school. This curriculum did not teach them to internalize some abstract carceral logic; many of these students already had parents, cousins, aunts, and uncles who were incarcerated. Moreover, it was important that these students learned about the justice system because it affected their lives personally. Ransom's care theory for educators emphasizes the importance of providing their students with support for their lives outside of the classroom

(Ransom, 2020). It is evident that Diana implemented this curriculum because she saw a gap in her own school's teaching. Thinking about it that way, Diana's mini curriculum seemed to incorporate much more of a pedagogy of care than I had originally thought.

Family Engagement

Family was a theme that came up more than I expected in the context of personalized attention within school. While it was also an important aspect of the support given outside of the school building, family engagement was still central in teaching students who were going through the justice process during the school day. Shawn explained that interacting with his students' families was of utmost importance. In his words, "it's me servicing them." I found the idea of educators "servicing" families interesting. The term "service" is especially nuanced. If it is the teachers and counselors who are servicing families, how come the families are at the receiving end of a student's punishment? Additionally, at what point does an educator stop servicing a student's family, and only service the student? It is likely many teachers and guidance counselors in the United States would opt for a different word. However, if an educator was to truly provide support and establish a caring relationship with the student, they likely would need to lend services to the family. Care and support may only be possible if the educator thus acts as a service provider to both the student and their family.

Shawn expanded even more on the linkage between care, family engagement, and the school-to-prison pipeline by stating "if we got a better understanding of the home life and what they're going through, then we can avoid them ending up in these facilities." He achieves this understanding by asking the parents to tell him if something happened to the student or family

outside of school. This allows him to "service" the student better and "avoid them ending up in these facilities."

Diana's connection to her students' families was even more uncommon. She went from working in a women's prison to becoming a middle school guidance counselor within the same community as the correctional facility. Consequently, some of the past inmates she knew from her time as a corrections officer were now the parents of the students in her school. She described this connection to me:

> And what I had was a lot of parents of those children that were incarcerated. The female parents. That were not necessarily in the program at Irving, but were inmates at Irving, and I didn't just work that particular section. And then they would come over to the school and they would be in awe, like how can a correction officer become a teacher? And sharing a lot of experience and a lot of their difficulties with the actual system.

Evidently, Diana had a very different form of family engagement than other guidance counselors and teachers. She had to change the parents' mindsets of who she was in order to become a trusted member of the community. Her statement of "sharing a lot of experience and a lot of their difficulties with the actual system" fascinated me. She had been an agent of the criminal justice system, a system that had incarcerated and stolen the lives of countless members in that community, yet she described their relationship as one of mutual understanding. While I am unable to obtain the perspectives of the parents of the past students in her care, I believe that on some level there was an understanding in this relationship. It likely contained an unbalanced power dynamic between her and the parents, with both parties being distinctly aware of their past positions of authority, dominance, and those that had to submit to this authority. Additionally, the relationship was possibly powered by fear.

Through a different lens, Diana explained the reasoning behind quitting her position as a corrections officer:

I remember thinking to myself, how sad it is that I'm just here to enforce rules. I'm not really here to engage with the inmates. Even though you do engage. But you're not allowed to address the real issues. Which also prompted me to want to leave and work at a different capacity.

Perhaps Diana's change of heart catalyzed this disillusionment of the justice system and allowed Diana to empathize with the women in the prison, permitting her to reach a true relationship with her students' parents based on trust and respect. Diana's experience thus reiterates Julia Ransom's call for trust within her study of care theory, where she found trust to have extremely positive associations with feelings of belonging and identification within school (Ransom, 2020).

Reentry Initiatives

The last recurring theme that arose in my research regarding support that educators can provide in the school building is implementing reentry into the school curriculum. Reentry programs are key to supporting special education (and all) students who have been incarcerated or kept out of school. In a system where incarceration is so interconnected with many school districts around the country, promoting comprehensive reentry curricula is the only way for youth to readjust to post-release life.

The majority of my conversations about reentry initiatives within school were with Shawn and Diana. When I asked Isabel and Miranda, the Vice Principals at 12 Wallace, if there was an adjustment period for Reggie whenever he returned to school or if there were systems of reentry they provided, they said:

Basically every time, every day that he came back to school, to be honest, was an adjustment, because we didn't know which version of him we were getting. Like Miranda said, he definitely had a temper, but with certain people who he got to know over the years, he trusted. But if anyone looked at him the wrong way, or he was tasked to do something too difficult, he could explode. Counseling was put on his IEP. I don't think he ever had one session of counseling in school. As much as we would have loved to implement re-entry systems for him, he was the most inconsistent student I've ever met.

They then followed this with, "It wasn't inconsistent. It was consistent that he didn't come to school." In this specific case, Isabel and Miranda made it clear that despite all their efforts, reentry programs for Reggie would be futile and he would not care for any initiatives they put in place.

The tone of the conversation with Isabel and Miranda was one of frustration, resignation, and sadness. Unlike the other two participants I interviewed who worked inside a school, these two Vice Principals were white and did not come from the same communities as many of their students. Although the stories of their students were not dissimilar, their tone was much more one of hopelessness than the matter-of-fact explanations given by Diana and Shawn. This could be attributed to a potentially large disconnect between their personal life, the lived experiences in their own communities, and the experiences of the students in question. Shock likely plays a driving force in the way educators react to their students' trauma. It is possible that the shock and disbelief that powered the hopelessness Isabel and Miranda felt in response to Reggie's hardships was primarily due to the fact that such hardships were unimaginable to them. They themselves could not relate to Reggie's experiences. Likewise, if Shawn and Diana have lived in the same communities as their students, they probably have a deeper understanding of the systemic inequities that target these communities and push youth into a cycle of crime and incarceration.

I asked Diana about the type of reentry programs she had experience with at the middle school she worked at and she explained that her school utilized check-ins. For the students they knew had been incarcerated, they attempted to ensure that the check-ins were daily. She explained these check-ins:

> The check-ins were, how are you? I'm doing okay. Any temptations out there in the streets? Yes, no, sometimes. Very real, since you're living in the same community. And it was just the sense of knowing, are you okay? How do you feel about these temptations?

How do you feel about walking by ... Are you avoiding these blocks? Are you avoiding going to these areas or going to these establishments, etc., etc.? And also, how are your parents doing? Because a lot of parents were also very angry at these children. Another thing is, it's not just check-ins, but on top of that, those students that we did have that, not necessarily were incarcerated but got in trouble, had probation officers that checked in with them at the school.

These check-ins were created to reintegrate students back into the school system and attempt to prevent recidivism. I thought it was important that the teachers and staff at this middle school asked students about any temptations outside of the school building. This allows for the gap between personal life and school life to be bridged, and hopefully create a supportive and nurturing environment while the students were in the school building. Diana emphasized that "if a child decided they wanted to speak to someone, it didn't matter, even if it was a custodian, everyone was on board. Or brought into our community, and we're all here for the children regardless of what your level of education or your position is here at the building." This kind of school-wide support is essential when attempting to make students feel safe and welcome.

As Diana described these check-ins, I wondered if they were enough to truly prevent students from winding back up involved with the juvenile justice system. Was once-a-day support from the staff at their school strong enough to divert students from the same temptations that got them in trouble in the first place? The answer is likely no. The reentry programming in the public school Diana described did not seem particularly intensive. This is neither the fault of Diana nor the other staff members who were all "on board" to check in on their students; this is a larger issue, not the least of it regarding funding for mental healthcare within the public school system.

The charter high school in which Shawn implemented restorative practices addressed trauma in their reintegration process for students post-release. For Shawn, working with student trauma is important because "there's such emotional things going on that we can address. And

before we can expect them to jump right back into schoolwork, we have to tackle what's going on in their life." This rhetoric refers back to Shawn's previous claim of the necessity of family engagement. This statement evokes the sentiment that addressing the personal issues in a student's life outweighs the importance of classwork; the statement reminds me of Friere's discussion of constructivist teaching versus banking education. Shawn's experiences with students in and out of the juvenile justice system have allowed him to understand that his students are more than just mere vessels to deposit information (Freire, 1968).

Despite relying on constructivist methods of supporting his students, Shawn relayed to me the lack of an extensive reentry program in his school:

> For the high school, we definitely had programs where our counseling team would lead initiatives if kids were to get incarcerated, they'll come back, there's a way to welcome them back in. So there's a trauma session I remember they used to do. But it's pretty much, just have the kid sit down and express what they've been through and offer that feedback or that advice on how can we support you?

When I asked him how long the students went through these sessions, he responded with "one to five days." These trauma sessions sounded remarkably similar to the check-ins that Diana previously described to me. Furthermore, it is unclear if the trauma sessions at the charter school Shawn worked at were mere check-ins under a different name.

Personalized Attention Outside of School Setting

In addition to educators providing care within school settings, I was interested in examining the instances of educators supporting their court-involved special education students outside the school building. Through studying the experiences educators had with these students, I hoped to gain a better understanding of the kinds of support available. I split this section into

two parts: studying educators going out of their way to care for students outside the classroom and examining what an out-of-school educational program looks like for court-involved students.

Educators Reaching Out to The Community

Isabel and Miranda, the Vice Principals of 12 Wallace middle school, describe the way their relentless efforts to support Reggie — a court-involved student who rarely showed up to school — resulted in them reaching out to his family and community members. They emphasized that in the case of Reggie, they felt it was necessary to demonstrate care outside of the classroom in addition to the various supports they attempted to set up for him in school. The first experience they shared was when Miranda took him to his parole meeting:

> Because he had poor attendance. Actually, when he was in sixth grade, he was arrested. I took him to meet with his parole officer because he was graduating from his time on parole, I guess, is how you would say it. I'm not a hundred percent sure. They kept contacting us. They couldn't get in contact with the family saying like, 'if he doesn't come, we can't release him. We want him to be done with this.' So I took him so he could meet with his counselor and be done with his parole.

In this instance, Miranda took on a parental role to assist Reggie during his parole process. This example demonstrates the support that can be given to students involved with the juvenile justice system even outside of the school building and after school hours. There are countless instances and reasons why many parents are unable, or unwilling, to attend required meetings with counselors, probation officers, or other authority figures. Miranda's example reveals a form of support that educators can adopt to come to the assistance of their students in need. In this case, Miranda described wanting Reggie to be "done with his parole"; this connotes her belief that he could be best supported within the care of the school system, rather than the justice system.

Miranda and Isabel had even more examples of providing tangible support to their students outside of school hours. They described visiting Reggie's sister, who was terminally ill

with cancer, in the hospital. There they met some of Reggie's family. Isabel also mentioned

constantly texting his stepmother to check up on Reggie and ask how he was doing. She claimed

she had to send multiple texts over many months before receiving a reply. In their words:

> I think that that's the thing is you have to just be persistent. We don't stop. We're the most
> annoying people ever in a way of like, we will not stop calling you. We will not stop
> emailing you. We will text you, we will come to your home. Isabel went to his home, like
> you're not coming to school, we're coming to you and we don't stop until we get a
> response.

This persistence reflects an enormous amount of care on the part of these two Vice Principals.

Persistence itself is a form of care that educators have the capacity to utilize in order to best

support their students, both within the classroom and outside of school.

Shawn describes his efforts to support youth outside of the classroom through the

creation of his own nonprofit organization. He detailed the specificities of this program, which

he jump-started at the beginning of 2020: "I'm catering to inner-city at-risk youth. And so pretty

much to be that bridge, to provide those resources to those kids, so hopefully they don't end up

in those facilities. Right? It's all about empowering and engaging the youth to lead to a better

future."

Shawn explained that his nonprofit hit a roadblock due to the coronavirus pandemic, and

his plans were temporarily put on pause. The organization is now slowly getting back on its feet.

Shawn's commitment to the children in his community is evident in his work both inside and

outside school settings. First and foremost, these interviews have shown that educators may

support their students in need by taking time out of their already busy day to care for the children

they serve. In the words of Shawn, "I try to figure out a way to help that's going to be impactful,

in which it's starting in my own community."

Programs Outside School: Adolescent Consultation Services

During my research, one of the people I interviewed was a woman named Sharon who was the Executive Director of Adolescent Consultation Services in Massachusetts. She described ACS to be:

> The vendor that operates the juvenile court clinic in Middlesex County, which is the largest county in Massachusetts. And so we hold the state contract. We have the Department of Mental Health and the trial court to provide juvenile court clinic services. And we also have an extension of our program that is not funded by the state. That's the treatment program for court-involved kids, and that is fully funded by grants, foundations and private donors. So we also, in addition to providing court-ordered forensic evaluation, do diagnostic bio-psycho-social evaluations for kids and families involved in the juvenile justice system, we also have a treatment program that is at no cost to families.

The majority of the youth who received services from this organization had the label Child Requiring Assistance (CRA). This often meant that the child had poor school attendance, performance, or had noticeable issues in their home life. Sharon stated that the majority of the youth in her care were there for non-criminal reasons. According to her, oftentimes a child ends up in Adolescent Consultation Services because all the traditional interventions have failed. These services then employ a forensic clinician to go through all of the youth's records, interview the child and whoever their support system is, and create specific and targeted recommendations to help and divert the child from the juvenile justice system. Sharon provided examples of some of these recommendations: suggesting a Parent Partner (who supports and advocates for the family), various therapies, such as Cognitive Behavioral Therapy, and/or directing families to a Spanish-speaking trauma-focused teen group.

When I asked Sharon how many students involved with ACS were special education students, she responded with "I would say most of the kids that we work with" had an IEP (she later confirmed in an email that in fiscal year 2020, 71% of the children they served received

special education services). By speaking with someone who provides educational services to court-involved youth outside of the education system, I was able to better understand the support systems in place for adjudicated youth with special education needs outside of school.

Treatment Program

The treatment program that ACS provides is an eight session drop-in group for court-involved youth. Most students are able to have both their charges cleared and avoid a permanent record after completion of all eight sessions. This group is constantly on a revolving schedule, meaning youth can jump in and join right away.

In order to incentivize these children to come, they give each student a $5 gift card for each group they attend if they complete pre- and post-treatment group surveys. By utilizing student evaluations of the program, ACS has the ability to modify their curriculum based on the responses they receive from the survey. Of course, I have no way of knowing whether or not they actually took these surveys into account. Sharon explained how ACS was planning on implementing a $10-$15 gift card to students who complete the post-survey.

Sharon described the curriculum of the treatment group to focus on "everything from healthy boundaries, positive relationships, alcohol and drug education." In addition to these themes, the program provides competency evaluations to kids with criminal charges about each step of the juvenile justice system:

> Kids who have criminal charges against them, by virtue of them being minors and developing, very often the question of whether or not they understand kind of the juvenile justice system, that it's an adversarial process, what the judge's role is, what the attorney's role is. That often attorneys will refer the child to us for a competency evaluation, because it's unethical for a child to go through legal proceedings when they don't understand what's happening.

In this way, while ACS is an organization that attempts to divert kids away from the juvenile justice system, they also appear to work alongside this system. I found Sharon's depiction of "ethical" versus "unethical" very interesting. She described their goal to be ensuring that the juvenile justice process is "ethical" for the youth going through it. In my conversation with her, she never mentioned the possibility that the justice system itself may be unethical. I made sure to make a mental note of this as I proceeded with my interview.

Trauma-Competent Curriculum

After I asked Sharon if the curriculum for the eight-session drop-in group was trauma-sensitive, her eyes lit up. She explained that in today's world, trauma was the "topic au courant"; everyone was talking about it. She then furthered her explanation of what exactly that meant in terms of the juvenile justice system:

> There's a system-wide kind of owning of needing to have folks who are working with court-involved youth have to have a trauma-competent lens and practice, and there's far more training pertaining to that. And trauma-informed is very different than trauma competence. You can have an understanding of the impact of trauma, but if you don't know how to respond to what you just kind of know what it is and why... So it's sort of there are more initiatives to really educate and train folks who are working with these kids on how to understand and respond to their needs.

I wondered if this "system-wide owning" of the need to implement trauma-competent education extended beyond diversion programs and into the detention centers themselves. According to Sharon, trauma-competent curricula were an essential component to providing care to students who have become tangled up in the juvenile justice system. Within schools themselves, trauma-competent curricula have the potential to support students based on their emotional needs, provide more meaningful education, and prevent them from becoming court-involved at all.

After she described the necessity to factor trauma into the education and care of court-involved youth, I asked Sharon if she had any recommendations for schools that wish to provide more support for these students, to which she responded with:

> Kids have a different language than adults do, and that language is behavior. And as the adults in the lives of these kids, we have to understand that behavior is communication, and we can't attribute personality traits, intentions, we can't blindly attribute behavior in that way. And there can be such a disservice done to kids who are acting out, whatever is going on in their lives to, "Well, that kid, you got to teach them a lesson, you got to lock them up."

Here Sharon emphasized that care for students does not come from incarceration or sending them to "correctional" facilities. Care involves understanding why youth exhibit the behaviors that they do, and subsequently figuring out how to best support them based on these reasons. She follows this statement with a warning for educators who have these children's lives in their hands: "And the adults responsible for their education and care have to be able to kind of be aware of their own biases, seek consultation, maintain a trauma-informed perspective and be sure that they don't do a disservice to a kid who is likely really struggling that behavior as a symptom of that."

Accessible Curriculum

If 71% of the children served by ACS required special education services, I figured that Adolescent Consultation Services would have a plan in place to support these students. When I asked her about her experiences with students with special needs, Sharon described that the educators running the treatment sessions could make various accommodations for the youth that enter their care: "So we've had some kids with literacy issues and we made... I think it was both reported to us and evident to us during the intake process and the clinician sort of adjusted the activities so that reading and writing weren't required part of the activity." In this description,

Sharon illuminated ways educators can shift their curriculum to accommodate the special needs of their students. With such a high percentage of the juvenile justice population requiring special education services, programs both inside and outside of the school building that attempt to prevent youth adjudication and recidivism must maintain an adaptable and accessible curriculum that caters to all children.

Conclusion

This chapter illuminates the ways five educators have provided care to special education students at different points of the juvenile justice process. Key commonalities between these participants are community engagement, addressing trauma, curricular adjustment, and genuine care for the wellbeing of their students.

By highlighting the experiences of the agents in charge of students going through the justice system, it is possible to then delve deeper into the barriers set in place that inhibit educators from providing this care. From this exploration of the efficacy of the practices of special educators, counselors, and Vice Principals, it is now easier to assess the limitations of these pedagogies of care due to structural issues that lie beyond the scope of empathetic and motivated educators.

CHAPTER 5: Educators Discussing Barriers to Care

Introduction

My research on the experiences of educators who teach and support special education students who are deemed "at-risk" also encompasses the barriers that stand in the way of these adults who wish to provide care. In a country where special education students, particularly low-income special education students of color, are streamlined into the criminal justice system through the use of suspensions, juvenile detention centers, and parole (Blanchett, 2009), implementing practices of care and personalized attention is often incredibly difficult. Disability is so often an added layer of difficulty for detention centers and schools when supporting their students, simply because many educators lack knowledge of disability itself.

The stories my participants shared of their students invoke O'Connor and DeLuca Fernandez's analysis of the interconnectedness of poverty and special education placement. They argue that the education system we have today shuns students who live in poverty and thus increases their likelihood of being labeled as requiring special education. This is augmented when examining the care available to these students (O'Connor & Fernandez, 2006). During my interviews I found countless examples of deficit-based perceptions of the students that ostracize them due to environmental barriers in their family and community, in the institutions that are supposedly meant to support them, and in detention centers themselves.

Environmental Barriers and Familial Issues

Throughout my interviews, some of the most recurring themes I coded were regarding barriers in students' environment that inhibit them from receiving quality care and support in their education (these were coded as "environmental barriers" and "familial issues"). Diana first

spoke to me of the power that community has for a child when describing the neighborhood she lived in and worked in:

> When you work in a community where you see this to be prevalent and they have so many issues, and they're underprivileged, and it's a community full of immigrants that are really struggling to make ends meet, you know, you have people dangling other things in front of you. It's real.

Here Diana brought up one of the most important motifs surrounding the juvenile justice system, as well as the school-to-prison pipeline: temptations. Temptations to engage in illegal activities are high in communities such as Diana's because of their lack of resources and support; in a way, low-income communities often face the same issues we speak about when we speak of caring for individual students: they require support, resources, empathy, and time to adjust to new environments. Despite having reentry initiatives in schools, such as the check-ins Diana described her school utilized, it is hard to prevent recidivism if children are returning from detention to the same environments they left. Theoretically – though I would definitely venture to argue that this is not a reality – correctional facilities are supposed to give students tools to stop engaging in the behaviors that got them incarcerated. In fact, if these said tools are not also available in the very communities youth have so long been a part of and are accustomed to, recidivism is almost a guarantee.

In my interview with Sam, he echoed Diana's description of temptations and the barriers they pose to providing a supportive educational environment. These two participants were both guidance counselors, responsible for different forms of care for their students than the teachers I interviewed. Both of these counselors spoke of trauma as a key contributing factor to the incarceration of special education students. Trauma is inherently intertwined with the power of these temptations. Sam described this to me:

> Trauma definitely was something that was brought up in terms of my personal discussions with students. However, that little time they spend with me, if I feel it's so overwhelmed by what they're going through after they leave, what we've talked about in terms of when they leave my office, their interactions with their friends, their interactions with their family and their environments, it kind of like takes away from what we discussed. And they're kind of put back into that situation.

These conversations had me thinking about the nature of these so-called temptations. If they were simply going back to "their interactions with their friends" and "their interactions with their family and their environments," caring for students must go even further than simply providing trauma counseling, giving an appropriate special education plan, and implementing reentry initiatives. Caring for students must begin by supporting and uplifting the neighborhoods, communities, and families that surround them. Without this, perhaps the care currently afforded to youth in need is futile.

Isabel and Miranda's story of Reggie, one of their past students, details how the hardships he had faced his entire life rendered every form of intervention they attempted obsolete. Throughout the interview, both Vice Principals described in frustration the difficulties they had getting in touch with Reggie's parents, his chronic truancy, and his negative habits, such as arriving at school high, that he picked up from living with his older brother. The educators sounded heartbroken as they told me of Reggie's tough childhood and his need to raise himself due to a negligent mother. This student was incredibly behind in school and required an IEP, which took years to obtain. They explained why:

> I'm sure this is everywhere, but specifically in New York City, if a child has poor attendance, the child most likely is not going to get an IEP because it's inconclusive if the lagging in skills is actually because of a disability or because they've missed so much school. So when we met this child, it was very clear he was already behind academically.

The environmental and familial barriers that Reggie faced inhibited his possibility to obtain the special education services he needed for quite some time. This practice appears to be a direct

attack on the education of low-income students who come from struggling families. Prohibiting students with low attendances, who are often juggling countless issues in their home life, from receiving special education services places the blame on them for their struggles and penalizing them for missing school by withholding an Individualized Education Plan. In these instances, students are judged based on deficit rather than achievement; allocating the resource of an IEP is decided upon by what they are lacking. Not receiving proper services makes receiving an education inaccessible and likely reduces the likelihood that these students will go to school at all, reinforcing this cyclical pattern of denying an education to students with special needs.

This finding echoes Annamma's description of the creative destruction of multiply-marginalized dis/abled girls of color in public schools and how it serves as a conduit for a pedagogy of pathologization. Withholding special education services to students with low attendance rates is a form of social exclusion, which Annamma highlights as one of the key contributing factors to creative destruction (Annamma, 2018).

Negative Perceptions of Special Education Students Involved with Juvenile Justice System

Each educator I interviewed had a different perception of the students they described to me. They all wished the best for their students and did what they knew to provide as much support for their students as possible. They all believed in the possibility for their students to excel if they were given the proper educational opportunities that they required. Conversely, I was also able to pick up on various instances where my participants outwardly expressed having negative perceptions of their students, whether they were conscious of them or not.

One of these instances was in my conversation with Diana. We were speaking about the reasons some of her students have gotten incarcerated:

A lot of children, just because they're special education or have needs that go under the umbrella of special education, sometimes they don't have the common sense. They might have a learning disability, some ... Along with learning disabilities, some of them don't have common sense, and they're more gullible than others. And so a lot of times they've ... It's also a fact not theory, that the reason that they got in some sort of issue with the law is because they lack common sense or they lack supervision from a parent or legal guardian.

This depiction of special education students as lacking common sense or being "gullible" is a clear example of a negative stereotype regarding people with disabilities. Attributing the reason behind a student coming in contact with the law to a learning disability demonstrates the pervasiveness of ableism in our education system and highlights Sinclair et al.'s study depicting the correlation between recidivism and negative school personnel perceptions of special needs students returning from detention. The study determined that lack of belief and trust that school staff had in their special education students returning from detention resulted in a lower percentage of students engaging in their schoolwork and staying out of "trouble" (Sinclair et al., 2016). This statement from Diana reinforces Sinclair et al.'s research, and, once again, relies on a deficit framework of viewing her students, emphasizing their disability as a "lack [of] common sense," something outside the realm of "normal" students.

Isabel and Miranda provided another, more solemn, example of a negative perception educators have of their court-involved students: "Where the kid like Reggie, it is very sad but I think true to say, he's going to live a life of crime. He's going to live a life of petty theft or whatever it is that he is involved in because he literally has raised himself and he is just a baby." This statement varies from Diana's, as it rings with resignation rather than blatant mistrust of students with disabilities. The two Vice Principals spoke bitterly of their many attempts to care and support Reggie, a student with an IEP who rarely attended school, was in and out of the justice system, and had little to no support from his family to fall back on. In examining this line,

I am unsure of whether the Vice Principals are attempting to be as realistic as possible or are selling this young boy Reggie too short. Truthfully, I do not think I am qualified to come to an answer to that question; however, the sentiment does remind me once again of Sinclair et al, and their descriptions of school personnel lacking the belief that such students could have a successful future (Sinclair et al., 2016). According to them, negative perceptions such as these can result in an increase in school dropout rates, in incarceration, and in recidivism.

Student and Family Shame Surrounding Court Involvement

The stigmatization of these students extended outside of the classroom, to their families and communities. A theme I did not anticipate but ended up coding in almost every single one of my interviews was shame. Shame is a factor that is both a result of adjudication and court involvement, as well as a barrier to receiving support and care post-release. I heard many versions of this same story:

> A lot of students, believe it or not, they don't want, and their families do not, want the administration or the school staff to know that their child was incarcerated. For whatever reason, it doesn't matter if it was even for a day. So a lot of times that's really kept private. (Interview, Diane, 01/11/2021)

> And a lot of it is a lot of kids don't want to share in a high school age, unless you build that rapport with them, they're not going to share. (Interview, Shawn, 02/03/2021).

A lot of the conversations regarding shame surrounded the fact that these educators were working in immigrant communities. Diana, who is Latina and has worked in a largely Latinx community for decades described this to me:

> It's extremely secretive. And when you're talking about a community too, because you have to know the community and the population and the cultures. They're a very proud culture, these cultures. And they really ... Actually, counseling is a very new concept in a lot of these communities. They don't believe in that. They believe what happens behind closed doors stays behind closed doors. And family business is family business. And I know for a fact that this is not just this culture, many cultures feel the same way.

This concept of incarceration kept "secretive" alludes to a certain level of shame elicited as a response to time spent within the juvenile justice system. This isn't abnormal; the punitive nature of the justice system itself relies on a model of deficit: this is what happens when you fall short of what you are supposed to do. It is designed to generate embarrassment, shame, and fear of social consequences. Diana described counseling itself as difficult to implement for students within her community. In her explanation of her decision to become a guidance counselor, she detailed the problems that it caused within her own family: "And I won't talk about when I said I wanted to be a counselor. They really flipped out because in our culture, in my culture, they didn't believe in that."

Sharon also contributed to the discussion of how this shame specifically manifests itself within immigrant communities: "We would sort of think once a kid has been court-involved, which is typically a source of shame for a child and family, we do work with a lot of immigrant families too, who are completely intimidated by our justice system, rightfully so." According to the experiences of Sharon, the shame brought about by involvement with the law places immigrant families in a particularly complex position, as many immigrant communities are wary of law enforcement. Intimidation and fear of self-advocacy stifle the possibility of receiving institutional support both within schools and in programs that are not school-affiliated for court-involved youth within their communities. Moreover, with counseling being out of the question for many immigrant families, the barriers to providing quality care and support to students in need seem to grow.

In our conversation about reintegrating students returning from incarceration into his high school, Sam outlined how embarrassment and shame particularly hindered students receiving support within the school building:

> It's very, very, very difficult to get them back into a class setting, especially if they're behind in courses. You have maybe a 17, a 16-year-old taking ninth grade courses with 13-year-olds. And that is a combination of embarrassment, lack of motivation, and it impacts them to not want to go to class.

In this explanation, Sam highlights how shame can inhibit students from even wanting to go to class, fueling more school absences, more time spent out of the classroom, and less time receiving the support the school can provide. The added layer of having a negative reputation because of time spent in the justice system, on top of being labeled with special education, an identity that is already highly stigmatized, can make school appear to be more of a burden and a place of humiliation, rather than a support system (Crosby et al., 2017; Sinclair et al., 2016; Snodgrass Rangel et al., 2020).

Lack of Oversight Within Education System

Another common thread that I followed regarding the institutional obstruction of quality educational care provided to special education students during or following their time incarcerated is a remarkable lack of oversight. In multiple interviews my participants highlighted the issue of *knowing if their student is incarcerated*. According to them, teachers and educators are often not notified if their student has been arrested or has come in contact with the law. In so many cases, these educators simply have no knowledge about the legal whereabouts of their students until after the fact, if at all.

Shawn described this frustrating process during his time working in a high school:

"When I was in high school, I wouldn't know a kid got locked up or picked up until the day after.

Yeah. Until the day after, or sometimes, that's if the authorities even communicate with us." He then followed this statement by saying:

> I'm pretty sure there's a system where the kids get picked up, they notify the school right away, notify the parents, but it's not consistent at all… That's another conversation, but there are too many inconsistencies going on and everybody's doing something different. That's the thing too. If you was to go to my district and see the way we're doing it, go to somebody else's district, it's totally different.

While Shawn spoke of these inconsistencies with a certain level of nonchalance, to me this sounded serious. Lack of awareness of the incarceration and arrest of their students leads to a major hindrance on the feasibility of care and support. The variance in structure of the school districts creates a breeding ground for students, or whole communities, to slip through the cracks while their educators remain two days behind.

These inconsistencies are particularly alarming in the case of students with Individualized Education Plans and/or requiring other special education services. Additionally, if a student needs immediate advocacy from a parental or adult figure and cannot get it from home, this lack of oversight inhibits any ability for educators to provide this support, seeing as they are often so out of the loop.

Lack of oversight is also a problem within the school building itself. In our conversation about reentry initiatives within his school, Sam, a guidance counselor, detailed the difficult process of providing adequate trauma counseling for students: "In terms of discussing that trauma first, that restorative process, but more individualized because that student wants to be attentive and we have that attention. When you're in a school, that kind of takes it away because you have so many other things to worry about." It is not new information that teachers, guidance counselors, and other educators are over-worked. In schools with a large student population, these "so many other things to worry about" can stand in the way of truly supporting their

students. More often than not, special education students require counseling on their IEPs; the fact that guidance counselors feel they are too overworked to provide enough care for their students leads to a tremendous amount of oversight in the care and attention of special education students dealing with trauma.

Inaccessibility of Support Programs Outside of School

Proper rehabilitation, prevention, and support programs can also be widely inaccessible to low-income students of color. Many of my participants expressed frustration with a system that seemed elitist, nebulous, and incompetent for supporting youth in need. Isabel described this frustration in detail to me:

> Miranda would literally be holding my hand while I was speaking to people at ACS. Like, I want to speak to your supervisor's supervisor's supervisor. Are you waiting till this child is dead for them to be on the front page of the New York Post in order to do something? We just felt so helpless with this child. He was clearly in crisis the minute we got him and he's still in crisis now.

This dramatic yet eerily rational expression of exasperation from a Vice Principal sums up the inadequacy of programs designed to provide critical care to today's youth. Isabel's voice was full of anguish and despair as she expressed these words to me and revealed how convoluted state programs such as the Administration for Children's Services can be.

The Vice Principals continued their understandably frustrated and angry rant about the supposed support systems in place for New York City youth:

> Why are there no public schools for kids who need social, emotional support and specifically social, emotional support or who need rehabilitation? It's like if you have money and you're able to pay into these programs, you can go and they'd have these services. But what about kids who need it who can't afford it? The DOE doesn't have the right mental health services and things of that nature which we oftentimes find lead into the kids that we struggle with the most.

Why indeed. This quote illuminates the utter inaccessibility of proper social services for low-income students. The school-to-prison pipeline that streamlines people of color into the criminal justice system, and youth of color into the juvenile justice system, is bolstered by elitist and impenetrable programs that only serve the wealthy and the white. This discussion of mental health services in particular emphasizes special education as a conduit for low-income students with disabilities into the juvenile justice system. Mental health counseling is a critical resource for students with disabilities such as emotional and behavioral disorders – the majority of whom receive this label are Black and brown – revealing that the barriers to providing critical care to students in need fall along racial and class lines (Houchins & Shippen, 2012).

Sharon, the Executive Director of Adolescent Consultation Services (whose acronym is also ACS but is a different organization from the ACS referred to above), reinforced these findings with her discussion of mental health programs in Massachusetts that contrast the intervention services provided by her organization. In this case, Sharon discusses the critical aspect of timing in the care for court-involved youth:

> One thing will say, at least in Massachusetts, is for mental health providers, there is typically a three to six month wait, and that's not including obstacles that come up related to health insurance. And that's critical. So think about how essential, like a timely intervention is for a kid. A month is like forever. And so you think things are bad now and the kid's on a waitlist for six months.

This lag in intervention time is harmful for students with various disabilities, as many of the mental health services these youth require are time-sensitive and imperative for diverting young children away from juvenile detention. Making an "at-risk" child wait three to six months for mental health providers, which oftentimes will be their only form of therapy or counseling, is a sad and malicious form of institutional and governmental neglect.

Lack of Special Education Services in Detention

In this section, I will attempt to detail the educational and emotional barriers within detention centers that render these institutions ineffective and harmful. Throughout all of my interviews, each participant revealed their own opinions on juvenile detention. While some of them may not share my belief about the need to abolish detention centers overall, each participant acknowledged the many faults within these facilities, specifically for special education students.

Shawn, the Dean of Students, who had previously worked within juvenile detention, highlighted the lack of training for teaching special education within these facilities:

> Working inside a facility where not many people are trained in special education, you know a lot of the staff didn't have that knowledge on how to work with kids who was on the spectrum, or kids who have these disorders, or any disability… I didn't see much of that, because we did have a psychologist on staff, but that was back at the shelter. It wasn't even in school.

In this excerpt from my interview, Shawn shares the absence of general knowledge about special education or how to care for youth with special needs. Moreover, he claims that in the entire facility, there was not even a psychologist available who understood the general needs of their special education students. Referring back to my first section of the previous chapter, a comprehensive understanding of special education law is paramount to successfully enact a pedagogy of care within a classroom setting.

Each student with an Individualized Education Plan has specific and unique goals and requirements set out for them. However, in detention, many staff members did not even know which students had an IEP and which did not:

> And we as counselors, I was a counselor at the time in the facility, I had no knowledge of if this kid had an IEP, if the kid had a... We know if they had some type of disorder because they was on medication. But outside of that, we wasn't privy to the educational information.

Here Shawn paints an increasingly disturbing picture of the utter lack of accountability or comprehensive training for correctional personnel, who are supposedly there to take care of incarcerated youth. Not only were the teachers and the staff members under-trained and unaware of the needs of their special needs students, counselors such as Shawn whose job it was to support these students were not given any information regarding their IEP to begin with. Misinformation and lack of training pose huge barriers to any form of care and support that could be provided to incarcerated students, who are essentially children whose access to their personal freedoms has already been revoked.

In some cases, even if correctional personnel were aware of a youth's IEP, Shawn described even more lack of training or care on the part of the facility to meet a student's promised educational goals: "where the kids that had IEPs, nobody was following what was on their IEP. So of course, the kids' behaviors wasn't being corrected or their educational goals wasn't being met because nobody knew how to follow it." When describing the various requirements that appear on many IEPs, public school guidance counselor Sam expressed his worries and doubts that any of these needs are met within detention: "For students with the IEP's, we have to have a counselor, some have a speech therapist, some have a occupational therapist. I mean, I don't even know if people of those roles are inside the juvenile system." He continued conveying his concerns with me:

> The IEP, I mean, there's certain ratios of the amount of students that should be in a class. We have the 15 to one-to-one setting. Sometimes we have a ICT. If that student's supposed to be in a class with less than 15 students, I don't know how that is being given in juvenile system. I don't know.

When I asked Shawn if the facility he used to work in made any adjustments to the curriculum for some of the youth, or if they simply followed the textbook grade level courses, he

said: "It was just textbook grade level. Yeah. Whatever grade you was in, this is what you're

doing." This suggests that juvenile correctional facilities are enormously unprepared, unwilling,

and unable to prioritize the educational and emotional well-being of their youth and thus inflict

more harm on the incarcerated young people than provide any sort of "correction". Additionally,

any time spent receiving an inadequate education will result in these special education students

leaving detention further behind academically.

In my conversation with Diana, she described the horrors of one of the detention centers

her students were sent to that went beyond the curriculum, and extended to the overall culture.

For example, she explained:

> The correction officers had no control of them. No control. Where there was always
> constant fighting. Where you had constant drug paraphernalia as well as weapons. Shank
> being one of them. And the younger the detainee, the offender, the more violent things
> were. And Rikers did not have a good hand at supporting these young offenders, for lack
> of a better term.

This disturbing description of the violence fostered within juvenile detention reveals the danger

we subject our youth to by sending them to these facilities. Not only are these places

educationally deficient and unfit to support students, they are also institutions that breed and

promote violence rather than true care. Not one of my participants said they believed detention

centers were places that promoted the education and wellbeing of their students, revealing how

the juvenile justice system itself prevents youth from having their educational needs met.

Conclusion

My research on the construction of pedagogies of care for special education

court-involved students highlighted the various ways educators applied personalized attention

and support for their students in need; however, it also illuminated the many barriers that stand in

the way of truly creating an education system based on care for all students. These barriers

encompass environmental and family issues, institutional inconsistencies within schools,

negative stigmatization, and a regressive juvenile justice system. Thus, the pedagogies of care

that I highlighted in my previous chapter cannot be fully effective while these barriers are in

place.

CHAPTER 6: Conclusion

In this thesis study I have examined the experiences of educators when managing the schooling of students involved with the juvenile justice system. Through five semi-structured interviews with six educators, I was able to determine the similarities and differences in how teachers, guidance counselors, administrators, and those involved with programs providing out-of-school education engage in a pedagogy of care with special education students. Through this examination, I argue that the common thread amongst educators in caring for court-involved special education students is providing personalized attention both within and outside of the classroom.

Through these interviews with educators of court-involved special education students, my main findings were that educator care consists of 1) attempting to provide support by understanding the legalities of special education and the specificities of each student's Individualized Education Plan, 2) engaging with their students' communities, and 3) implementing a trusting school environment.

My first finding did not come as a surprise to me. It is understandable that in order to correctly care for their students, educators would want to be well-versed in the various processes behind special education law. By following the guidelines given by the Individuals with Disabilities Education Act for successfully creating and implementing an Individualized Education Plan, educators are able to personalize their curricula to give their students the educational and emotional services they need to have a supportive and positive school experience.

My second finding – the notion that community and family engagement will enhance a student's experience – was widely agreed upon by all of my interviewees. This engagement

spanned from implementing culturally relevant curricula, such as the mini-curriculum created by Diana, to directly supporting their students' families, such as the visits Isabel and Miranda paid to Reggie's sister in the hospital. These educators demonstrated examples of going out of their way to create a caring environment for their students by addressing issues that directly confronted their communities and families each day.

My third finding echoes this concept of support and demonstrates how, by cultivating a caring school environment based on mutual trust, educators have worked to prevent future contact with the juvenile justice system. I found that educators often create a caring school environment with the goal of keeping students within the school building, which is in and of itself a form of prevention from the incarceration that so often targets special education students. By having these students under their watch, these educators have altered their curricula to meet the individual needs of their special education students. Additionally, the educators in my study have advocated for the development of trust through personalized attention and mutual respect between them and their students in order to truly cultivate care in their pedagogy. Students themselves are more likely to come to school if they feel they are capable of understanding the material they are learning and are presented with a welcoming and non-judgemental environment.

These findings also highlighted the impact of class and race in particular in the incarceration of special education students and the streamlining of these students out of school and into the hands of the criminal justice system. Pedagogical care is often inhibited by barriers that are a result of societal failures to accommodate the needs of low-income communities, particularly Black and brown communities. Thus, my main findings regarding the barriers to providing a pedagogy of care include (but are certainly not limited to): 1) educators harboring

their own biases against their students, 2) schools lacking sufficient processes of support and oversight from school districts, 3) environmental obstacles in the student's communities and families, and 3) the detrimental impact of detention centers themselves that risk the educational success and overall wellbeing of special education students by neglecting to follow the above criteria for providing care.

My first finding regarding these barriers exhibits the prevalence of educator biases against their special education students. Going into this study, I did not know my interviewees and thus was not aware of any biases or prejudices they may have maintained. While all of my participants engaged in caring behaviors to support their students, I came across instances of educators having negative perceptions of their special education students. These negative perceptions likely work in tandem with other stigmatizations regarding student incarceration, racial background, and socioeconomic status. As many researchers have shown, these stigmatizations have a negative effect on students and their ability to be successful, particularly for those who are returning from correctional institutions (Sinclair et al., 2016).

My second finding deals with the innate shortcomings of our education system today. My research revealed the absence of any coherent set of guidelines that schools and school districts must abide by regarding their court-involved special education students. There is a serious lack of oversight in both the removal of adjudicated youth from the classroom and in reentry back into the classroom. In the words of Shawn: "everybody's doing something different." School districts lack the means to correctly organize and keep track of where their students are going and what these students' needs are to ensure their educational success. Subsequently, this failure of the education system establishes a firm barrier between the possibilities for true student learning and engagement, and the education they currently receive.

My third finding when examining the barriers to providing a pedagogy of care is a student's own environmental obstacles. There are countless cases of students such as Reggie who do not have a stable support system at home, who are dealing with trauma, and who have special education needs. I doubt many of these students have nearly as dedicated and caring a Vice Principal as Isabel or Miranda were, yet they still were unable to keep him engaged at school. This finding illuminates the dire need for resources and support systems to be flooded into low-income communities. Without them, pedagogies of care may not be enough.

My last finding reveals the failures of the juvenile justice system to provide a meaningful or lasting education to their special education students. This inability of the justice system to successfully educate such a large percentage of their youth population is highly distressing. There were numerous instances of educators reporting a lack of knowledge within detention centers regarding the educational needs of their students. Given the fact that many special education students require curricular alterations and/or emotional counseling, the findings indicate that juvenile detention centers themselves are unable to create the caring and supportive schooling environment that is essential for their students' educational wellbeing. In my interviews, I found no instances or examples of juvenile correctional facilities providing the care involved in the first three of my findings. Community engagement, culturally relevant curricula, a comprehensive understanding of special education law, and a relationship based on mutual trust and respect are all inherently absent in the education provided in detention centers. Furthermore, this lack of care in my findings surrounding schooling within detention has proven these centers to be ultimately harmful to the education of special education students. Thus, true and uninhibited care that many educators wish to provide for special education students is rendered impossible once they are pushed into the juvenile justice system.

My conversations with these educators allowed me to better understand the importance of personalized instruction and care both within the school building as well as outside of school. Many of my interviews highlighted the necessity to interact with the students' communities to truly support low-income special education students of color. I advocate for educators to reach out to and engage with the communities they work in, to make an effort to get to know the family situations of their students, and to continually make adjustments to their curricula to accommodate the special needs of their students, especially those who are returning from or are "at-risk" of entering the justice system due to school pushout. Moreover, I urge educators to avoid enacting damaging policies such as suspensions and instead commit to fostering an environment based on mutual trust and respect. I am not an educator and have never been deemed "at-risk" of entering the juvenile justice system. I have never had an IEP meeting and my teachers have never had to make curricular adjustments on my behalf. I have conducted this study about the successes and failures of educators in implementing care in their pedagogy in order to learn how to do so myself, and am now sharing what I have learned with the world.

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APPENDICES

APPENDIX A
Interview Protocol

<u>Introduction</u>

Opening statement:

"I am a senior at Vassar College and I am writing a thesis on the special education to juvenile justice system pipeline. In my research, I will be examining the experiences of teachers and guidance counselors who have worked with students and have seen their students be sent to juvenile detention centers, or have worked with students within these centers. I wish to explore special education as a factor in the adjudication and incarceration of today's youth. I also am interested in learning about the processes schools have in place to support their students who are returning from juvenile detention.

This interview will take about an hour. I want to first thank you for taking the time to speak with me, as there is so much I have yet to learn and your participation is what allows me to conduct this investigation. Your names within these interviews will be kept confidential, through the use of pseudonyms, as well as the names of anyone you mention.

I would like to audio record this interview for accuracy, is that okay with you?

If any of the questions feel uncomfortable to you, please let me know and we will skip it.

I am asking these questions to learn about your experience, so there aren't any right or wrong answers.

Is there anything you want to ask me before we begin?

Let's start!"

<u>Interview Questions:</u>

1. How long have you been teaching (or counseling)? Where are you working now?

2. How long has it been since you worked in detention? What center did you work at? How long did you work there?

3. Are you trained in special education? Have you always taught special education?

4. Are you familiar with the procedures of obtaining an IEP for students going through the juvenile justice process?

5. What are your thoughts on restorative justice practices?

7. Have you had a lot of experiences with seeing students being sent to juvenile detention? How often would you say these students are special education students?

8. What is the process of ensuring that court-involved students receive the special requirements they are promised?

9. Is there anything added to the curriculum within detention centers to address trauma or relevance to their current situation? Do any specific instances come to mind?

10. How about after students are released? Is there anything added to assist and support students in this reintegration process?

11. After students are released back into school, is there an adjustment period? Is there any protocol for reintegrating students back into public schools?

12. Is there a specific form of care that goes into the teaching of students who are/have been incarcerated?

13. For students requiring special education services, is the reintegration process a little different?

14. Do you think correctional facilities are places that promote the education and wellbeing of their special needs students just as much as public schools? Do you believe being sent to these facilities is the best way to support students who come into contact with the law? Why/why not? What are other ways to support these students?

15. Do you believe the skills taught in detention centers could be learned elsewhere? If so, where?

16. Are you still in contact with any of your past students who at one point were sent to one of these facilities? How are they doing?

17. Is there anything else you would like to add?

18. Thank you so much for taking the time to speak with me! Your experiences are really important to my research and I appreciate your willingness to share them with me.

List of Codes

- EXPERIENCES IN DETENTION
- APPROVAL OF THE JUSTICE SYSTEM
- BANKING EDUCATION
- BEHAVIOR
- CARE/SUPPORT IN THEIR PEDAGOGY
  - PERSONALIZED ATTENTION IN CURRICULUM
  - PERSONALIZED ATTENTION OUTSIDE OF SCHOOL
- COMMUNITY
- CONNECTIONS BETWEEN DISABILITY AND INCARCERATION
- CONSTRUCTIVIST TEACHING
- CORRECTIONS TO TEACHING
- CURRICULUM
- DESCRIPTIONS OF FACILITIES
- DESCRIPTIONS OF JUSTICE PROCESS
- DISAPPROVAL/CRITIQUE OF JUSTICE SYSTEM
- DURING PANDEMIC
- EDUCATOR FRUSTRATION
- EDUCATOR'S CONNECTION TO COMMUNITY
- ENVIRONMENTAL BARRIERS
- EXPERIENCES AFTER SCHOOL/DETENTION
- ALTERNATIVES TO INCARCERATION
- FAMILIAL ISSUES
- FUTURE
- IEP PROCESS IN SCHOOLS
- INACCESSIBILITY OF GETTING IEP DURING JJ PROCESS
- INNOCENCE
- KEEPING STUDENTS ENGAGED
- NEGATIVE STUDENT ASSOCIATIONS WITH SCHOOL
- POOR OVERSIGHT
- PREVENTION
- PRIDE
- REASONS FOR GETTING IN TROUBLE
- REENTRY
- RESTRICTED IN PEDAGOGY
- SHAME
- TEACHING SPECIAL EDUCATION STUDENTS
- TEACHING IN FACILITIES
- TRAUMA

APPENDIX C
Participant Consent Form

VASSAR COLLEGE
Department of Education
Consent Form

Primary Investigator & Contact Information:
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Title of Project: Investigating Special Education Support Throughout the Juvenile Justice Process

I acknowledge that on _____, I was informed by Tessa Kirtzman of Vassar College of a research project having to do with the following: A thesis on the special education to juvenile justice system pipeline. The researcher will be examining the experiences of teachers and guidance counselors who have worked with students and have seen their students be sent to juvenile detention centers, or have worked with students within these centers. The study will attempt to explore special education as a factor in the adjudication and incarceration of today's youth. In addition, this research will study the processes schools have in place to support their students who are returning from juvenile detention.

The interview will include about fourteen questions that the researcher, Tessa Kirtzman, will ask and that I may answer if I so choose.

The interview should last about 1 hour. I agree to permit the researcher, Tessa Kirtzman, to obtain, use and disclose the information provided as described below.

Conditions
- I understand that all information is confidential and that the researcher will utilize pseudonyms for myself and the names of anyone I mention.
- I understand that I have the right to decline to answer any questions without any penalty. I also understand that I may withdraw my participation.
- **Potential Risks:** There are minimal risks in this study. However, there may potentially be questions that cause discomfort. The participant may decline to answer.
- **Potential Benefits:** The participant's stories, experiences, and insights will be used to further the research on the juvenile justice system, and provide a greater understanding of students who may not always be brought up in conversation about education.

I am aware, to the extent specified above, of the nature of my participation in this project and the possible risks involved or arising from it. I understand that I may withdraw my participation in this project at any time without prejudice or penalty of any kind. I hereby agree to participate in the project. (You must be at least 18 years of age to give your consent.)

I agree that my interview can be audio recorded.

_____
Date

_____
 Printed name of Participant

_____
 Signature of Participant. (If returning form electronically, please sign using the following format: e.g. "/s/ Tessa Kirtzman")

_____
 Place: City and State

Should you have any questions and/or concerns regarding this consent form and/or interview, you may contact me and/or my faculty sponsor at the contact information above.