

# DISRUPTING THE SCHOOL-TO-PRISON PIPELINE

## **THE PROBLEM**

The school-to-prison pipeline, which disproportionately affects low-income communities of color, especially in cities, is a series of policies and practices under which students are increasingly pushed out of the education system and into the criminal legal system. The proliferation of law enforcement officers in schools has led to increased rates of arrest and referral to the criminal legal system. School-based zero-tolerance policies compound this problem as they drive school personnel to suspend and expel students for normal youthful behavior.

Districts across the country have criminalized school discipline. Often police intervene on low-level infractions that should be handled internally. For example, in New York City (NYC) nearly 70% of all arrests and juvenile reports in schools during 2016 were for misdemeanors and non-criminal violations. Non-criminal violations include offenses such as “trespassing” for being on the wrong floor of a multi-school building or “disorderly conduct” for participating in a peaceful protest.<sup>1</sup> In a Pennsylvania school district, police review already settled reports of student misconduct that the police department was not involved in and then charge students as adults in court for minor violations.<sup>2</sup>

School districts’ continued reliance on punitive school climate strategies is ineffective, harms students and exacerbates existing inequities along lines of race and disability. Students of color are more likely than their white peers to be suspended, or arrested for the same conduct.<sup>3</sup> For example, Black and Latinx students make up 67.1% of NYC schools, but account for 92% of all student arrests.<sup>4</sup>

Arrests and court involvement cause devastating effects on young people’s education. A study in Louisiana revealed that experiencing an arrest for the first time in high school nearly doubles the odds of the student dropping out, and a court appearance increases those odds four times over.<sup>5</sup>

These strategies also drain public funds that could be used to help ensure that all young people receive the

support, resources, and access to opportunities they need to thrive.<sup>6</sup>

## **THE SOLUTION**

For years, youth-led organizations and other advocates have organized to transform approaches to school culture, but students still experience high rates of exclusionary discipline and disparities remain deeply entrenched within school systems across the country.

**DIVEST FROM OVER-POLICING.** An essential step in decriminalizing education is divesting from over-policing of young people. Divesting from policing does not just keep students out of the prison pipeline, it also saves money that municipalities can re-invest back into schools. In NYC alone, the school-to-prison pipeline incurs costs of \$746 million per year, including police involvement in suspensions, arrests, and other punitive actions.<sup>7</sup> The Young People’s School Justice Agenda, developed by community youth leaders in NYC, is calling on the municipal government to remove costly and ineffective police officers and metal detectors from schools in the city and re-invest those funds in positive programs.<sup>8</sup>

States and municipalities should install bans on arrests, summonses, and court referrals for low-level infractions and misdemeanors such as campus fights, vandalism, trespassing or possession of tobacco or marijuana. Instead, students would be referred to school administrators for support. Depending on the legal structure of the district, state or local legislation or a police policy directive could be issued.

Schools and school districts should also compile and publish data pertaining to disciplinary measures and infractions. This data should guide policy priorities and action, as well as foster public accountability.

Districts may need to change policies to help create safe and inclusive schools. Some, if not most, districts will need to roll back harmful policies and practices already in place. Each municipality will need examine the current policies to determine the necessary reforms,

but some examples are: creating a program to expunge students' criminal and discipline records, and clearing outstanding warrants from summonses; and eliminating suspensions for subjective and vague offenses such as "defying authority."

**INVEST IN SUPPORTIVE PROGRAMS.** Solutions to the pipeline go beyond the removal of the harmful policies. Municipalities must also make deep and meaningful investments in their school communities.

School districts, cities, and states should invest in Restorative Practices. In dealing with conflict, restorative justice aims to heal relationships by bringing together everyone affected by wrongdoing and collectively considering the responsibilities of those involved. Fully embracing restorative approaches in schools offers an equitable and supportive approach to improving school climate.

Provide culturally responsive education. A culturally responsive approach to teaching acknowledges that students and families come from diverse backgrounds and treats this diversity as a positive asset. This approach also aims to understand and address institutional, personal, and instructional biases. Providing culturally responsive educational opportunities can lead to safer communities for women, youth of color, LGBTQ students, and students of different faiths.

Municipalities must increase mental health services available to students. Investments are needed in school-based mental health services such as in-school psychologists to more intensive external services including hospital based mental health clinics. Mental health services will support more young people with these needs and address the root cause of some behavior.

**INVEST IN OPPORTUNITIES FOR STUDENTS TO THRIVE.** True safety requires municipalities to not only stop harming young people, but also providing opportunities for students to thrive. The young people in each community may have different priorities for investment, but similar and consistent demands have emerged across jurisdictions: (1) create a universal youth jobs program; (2) provide free transportation for young people, beyond school hours, and (3) invest in providing free, high quality public higher education.

## **POLICY ISSUES**

**Los Angeles** has taken the lead on reducing arrests and court referrals for low-level offenses by requiring district police to channel students to school administrators or an off-campus city resource center if they are involved in a low-level infraction or misdemeanor.<sup>11</sup> San Francisco's police officers in their schools only participating in serious criminal cases, which lead the student arrest rate to fall by more than half.<sup>12</sup>

Beginning in 2013, the **Minneapolis** Public School District

implemented policies to increase engagement while decreasing suspension and out-of-class time.<sup>13</sup> As a result of implementing the new policy, 2013 – 2014 suspension rates dropped by 50% from 6.6% during the previous school year.

In 2014, in **Montgomery County**, teachers and their union worked with the superintendent on a new student code of conduct. Meanwhile, other districts have signed "memorandums of understanding" with local law enforcement agencies that keep minor offenders out of criminal courts.<sup>14</sup>

Approaches towards disciplinary measures in **Baltimore** have shifted towards promoting positive relationships, intervention strategies, and the use of suspensions only as a last resort.<sup>15</sup> African-American boys have had a 59% decrease in dropouts and a 16% increase in graduation rates between the 2006-2007 and 2012-2013 school years.<sup>16</sup>

During the 2009-2010 school year, **Chicago** offered after- and in-school programming designed to reduce decision-making problems through cognitive behavioral therapy. The program reduced violent crime by 44% and non-violent crime by 36%.<sup>17</sup>

## **LANDSCAPE AND RESOURCES**

The **Center for Popular Democracy** provides provide legal, strategy, and organizing support to local campaigns. **The National Education Association** advocates for educational professionals, students, and high-quality public education. **The Advancement Project** provides resources on making policy changes to school disciplinary practices. **The Opportunity to Learn Campaign** unites a coalition of organizations working to ensure that all students have access to quality public education.

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