



Juvenile Rehabilitation Administration

Examining the School-to-Prison Pipeline Symposium

September 21, 2012

PREAMBLE

The genesis of this symposium grew out of a workshop presentation on the School to Prison Pipeline, by John Clayton, Assistant Secretary of the Juvenile Rehabilitation Administration, at the 2010 Washington Alliance of Black School Educators (WABSE) Annual Conference. The focus of this conference was on the challenges facing black students in the state of Washington. Former WABSE President, Thelma Jackson, PhD, urged all participants to bring light to this issue. In response, Assistant Secretary Clayton and Dr. Jackson agreed to develop a symposium with partners across the state to bring awareness to the implications of the School to Prison Pipeline and begin this important dialogue.

We hope that this concept paper provides the necessary background information for you to develop your own sense of urgency and desire to address this epidemic that threatens all segments of our society.

A Conceptual Framework

Eliminating the racial disparities inherent to our nation's criminal justice policies and practices must be at the heart of a renewed, refocused, and re-energized commitment for racial justice in America. The School to Prison Pipeline describes the cumulative effect of various federal, state and local school district disciplinary and discretionary policies that push youth out of school and into the criminal justice system. The School to Prison Pipeline encompasses the policies and practices that lead young people down the path to incarceration rather than to a quality education. The proliferation of zero-tolerance policies, harsh disciplinary measures in schools and criminal justice practices targeting youth have contributed to this phenomenon. (Kept out: Barriers to a Meaningful Education In The School-to-Prison Pipeline 2012.)

Historical inequalities in the education system; segregated education, concentrated poverty and longstanding stereotypes influence how school officials and law enforcement both label children and treat students who present challenging behavior. Studies show that students of color receive harsher punishments for engaging in the same conduct as white students. This funneling of students out of school and into the streets and the juvenile correction system perpetuates a cycle known as the School to Prison Pipeline, depriving children and youth of meaningful opportunities for education, future employment and participation in our democracy. (NAACP Legal Defense and Education Fund, School-to-Prison Pipeline Initiative, *Dismantling the School to Prison Pipeline*, 2011). Every student is entitled to an education as a fundamental human right. All levels of government should prioritize access to education for youth, regardless of their criminal or disciplinary history. (Kept out: Barriers to a Meaningful Education In The School-to-Prison Pipeline 2012.)

Nearly all available data shows that students of color, low-income students and students with disabilities are far more disproportionately affected. In Washington State, there are at least 43,000 cases of suspensions and expulsions each school year. Long-term suspensions and expulsions, without the provision of education programs, create the very conditions that lead

Examining the School-to-Prison Pipeline: A Conceptual Framework

students to drop out (poor attendance, poor academic performance, having to repeat a grade and lack of confidence and optimism). When these long-term suspended and expelled youth drop out, the state pays. Each student that is unable to earn a diploma costs Washington State an average of \$127,000 more than the average high school graduate in unemployment, welfare, food stamps and criminal costs.¹

Under human rights law, all states must ensure that education in all its forms, and at all levels, shall exhibit the following four “interrelated and essential” features: 1. Availability, 2. Accessibility, 3. Acceptability and 4. Adaptability. Among other things, this means that education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds.

Much of what is taking place has an origin in the earliest years; from prenatal to age five, which is the beginning of the pipeline that feeds the prison system. High-quality early learning programs during these years have positive short- and long-term impacts on kindergarten readiness, success in school, high-school graduation and reduced involvement in crime. This is a lost opportunity to get more kids off to a good start so they arrive at kindergarten ready to succeed and never get into the pipeline to prison.²

Every day suspensions are increasingly common for dress code violations, arriving to school late and engaging in schoolyard fistfights without giving constructive and caring adults the opportunity to support and redirect this behavior. Suspensions, expulsions and arrests have been linked in some instances to higher dropout rates and an increased likelihood that youth will enter the criminal justice system.

New data released in March 2012, by the US Department of Education’s Office for Civil Rights, signal that youth of color are disproportionately the subjects of harsh school discipline and Black students, especially boys, face much harsher discipline in schools than other students. “*Education is the civil rights of our generation,*” said Secretary of Education Arne Duncan. “*The undeniable truth is that the everyday education experience for too many students of color violates the principle of equity at the heart of the American promise.*”³ The high punishment rates noted in the report are of critical significance not only because of their impact on student learning, but also because such discipline measures have proved to be a first step toward incarceration.

Severe school discipline policies, including zero tolerance edicts, are contributing to this civil rights problem. African Americans make up two-fifths and Hispanics one-fifth of confined youth today. Yet, instead of steering these students away from prison, current school discipline practices ensure that disproportionate numbers of students of color are trapped within the School to Prison Pipeline.

In recent years, a disturbing shift has occurred in our education system. When students misbehave, schools are becoming increasingly dependent on suspensions, expulsions and law enforcement to punish students. Children are being arrested or removed from schools even for minor infractions. Students cannot learn and teachers cannot teach in unsafe schools. Yet, suspension, expulsion, and arrest do not make schools safer. Instead, the American Psychological Association has found that these practices harm academic achievement for all

¹ (*The Road to Re-Engagement: Providing and Education to Long-Term Suspended and Expelled Youth, TeamChild Law and Policy Internship, 2009*)

² www.fightcrime.org/wa *Pay Now or Pay Later Report*

³ *New York Times, Black Students Face More Discipline, Data Suggests, by Tamar Lewin, May 2012*

Examining the School-to-Prison Pipeline: A Conceptual Framework

students while increasing the chances that those excluded will be held back, dropout and/or become involved with the juvenile and criminal justice systems.⁴

In recent years, an influx of law enforcement models in schools has done even more towards directing youth of color to prison. With law enforcement actively patrolling school hallways, student infractions that once merited a trip to the principal's office now have a greater chance of leading to a police citation or arrest. More prevention/intervention models are needed to help defer youth from our criminal justice system.

Once imprisoned, these youth will join the 1.38 million people of color who are currently incarcerated. This mass imprisonment costs individuals and communities of color in both the short- and long-term, as former prisoners are regularly deprived of voting rights and equal access to employment, housing, public benefits and education.⁵

The prison industrial complex continues to grow and is fed by this pipeline from the schoolhouse to the jailhouse. The situation has grown to epidemic proportions and the sense of urgency to address these issues is greater than ever before.

The national trends reflect that being suspended from school is a better predictor of high school dropout than:

- Low socio-economic status;
- Family composition;
- Number of school changes and mobility; and
- Percentage of peers planning to attend college⁶

For most students of color, suspensions and expulsions are the first step toward time behind bars. In order to reverse the trend, this pipeline must be "shut off" and alternative systems of behavior modification put into place by schools.

Nationally, a necessary dialogue has begun to shed light on this important issue and collaboratively seek ways to address this ongoing crisis. Secretary of Education, Arne Duncan, and Attorney General, Eric Holder, together have launched the Supportive School Discipline Initiative (SSDI), a collaborative project between the Departments of Education and Justice that will address the School to Prison Pipeline and the disciplinary policies and practices that can push students out of school and into the justice system.⁷

In Washington State we are beginning this important dialogue through this Symposium and work around the state to include the Race and Pedagogy and the 2013 Keeping Kids in School and Out of Court (details forthcoming).

⁴ Skiba & Rausch, *Are Zero Tolerance Policies Effective in the Schools?*, APA, 2006

⁵ *Center for American Progress, Disparities in School Discipline Move Students of Color Towards Prison*, by Rachel Wilf, March 13, 2012

⁶ Suih & Houston, *Journal of Counseling and Development, Predictors of Categorical At-Risk High School Dropouts*, 196-203, 2007

⁷ <http://www.ed.gov/news/press-releases/secretary-duncan-attorney-general-holder-announce-effort-respond-school-prison-p> Ed. Gov U.S. Department of Education July 21, 2011

Examining the School-to-Prison Pipeline: A Conceptual Framework

This Symposium is designed to bring together Washington State partners who have essential roles and responsibilities in this much needed systems change, including: the juvenile courts, social services, schools, legislators, agencies, youth, community and family members. They will come together to hear the scope of the issue, see examples of promising practices and begin the work of making system change by working together to keep kids in school and out of the juvenile justice system. The sponsors of the Symposium acknowledge the urgent imperative that Washington systems (agencies, partners, communities, families and youth themselves) serving our youth must work together to change policies and practices in order to make this happen.

Educators, social services, justice partners and communities must come together to present proven and effective methods, rather than punitive disciplinary policies, and to make recommendations on how they can be used to keep kids in school and out of the juvenile justice system.

Please join us in this “call to action” designed to provide attendees education, awareness and tools to establish school culture that supports all students, focuses on prevention strategies and increases alternatives to suspensions. Our youth and community are counting on us!