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**Pennsylvania Developmental Disabilities Council Topical Discussions**

**School to Prison Pipeline Resources and Suggested Readings**

The “school-to-prison pipeline” refers to the policies and practices that push our nation’s schoolchildren, especially our most at-risk children, out of classrooms and into the juvenile and criminal justice systems. This pipeline reflects the prioritization of incarceration over education. For a growing number of students, the path to incarceration includes the following “stops”:

* **Pre-School Suspension – Exclusionary Discipline and Suspension**

*“Collecting data from 2011 and 2012, the Civil Rights Data Collection (CRDC) report on “School Discipline, Restraint, & Seclusion” found that nationwide, “Black children represent 18 percent of preschool enrollment, but 48 percent of preschool children receiving more than one out-of-school suspension.” By comparison, white students represent 43 percent of preschool enrollment and 26 percent of preschool children receiving more than one out-of-school suspension”*

***Race, Disability and the School-to-Prison Pipeline -*** [*http://colorlines.com/archives/2014/05/race\_disability\_and\_the\_school\_to\_prison\_pipeline.html*](http://colorlines.com/archives/2014/05/race_disability_and_the_school_to_prison_pipeline.html)

*For students of all ages, the report found that “Black students are suspended and expelled at a rate three times greater than white students,” and that “Black girls are suspended at higher rates (12 percent) than girls of any other race or ethnicity and most boys.”*

*The percentage of children and youth served under IDEA was highest for American Indians/Alaska Natives (16 percent), followed by Blacks (15 percent), Whites (13 percent), children and youth of two or more races (13 percent), Hispanics (12 percent), Pacific Islanders (11 percent), and Asians (6 percent). For each racial/ethnic group, the percentages of children and youth receiving services for specific learning disabilities and for speech or language impairments together accounted for over 50 percent of children and youth served under IDEA.*

*Asian Pacific students are generally underrepresented in disability categories and*

*Over-represented in gifted and talented programs (Harry, 1992).*

*White students are consistently overrepresented in gifted and talented programs*

*and specific learning disability categories (Finn, 1982; Harry, 1992a).*

*White students are more likely to be labeled “autistic” than are students of color, while African-American students are at the highest risk of all races for being labeled with the broad term “specific learning disabilities.” In the 2011-2012 school year, black students were twice as likely as Latinos, four times as likely as Asians and 1.4 times as likely as whites to receive special education services for emotional disturbance, according to federal data. –*

*Table 204.50.Children 3 to 21 years old served under Individuals with Disabilities Education Act (IDEA), Part B, by race/ethnicity and type of disability: 2010-11 and 2011-12* [*http://nces.ed.gov/programs/digest/d13/tables/dt13\_204.50.asp*](http://nces.ed.gov/programs/digest/d13/tables/dt13_204.50.asp)

*Once students are labeled as special education, they’re placed on an accelerated path toward the school-to-prison pipeline. Students designated as having disabilities are two times as likely as their peers to be punished with suspension and expulsion, and researchers have found that even one suspension in ninth grade doubles the likelihood that students will drop out eventually. In essence, a disability classification heightens the risk that a student will drop out eventually.*

**Links to materials mentioned or requested at the Examining the School to Prison Pipeline Discussion (July 28, 2015)**

1. Website associated with our report, Beyond Zero Tolerance: [www.aclupa.org/bzt](http://www.aclupa.org/bzt) The site contains a wealth of information, policy statements, profiles of local discipline and policing reforms, as well as audio-visual resources. The report can be downloaded from the site as well. It is updated frequently.
2. Sexual Orientation and Discipline: [LGBTQ Youth and School Pushout](http://www.gsanetwork.org/pushout-report), GSA Network and Crossroads Collaborative, October 2014 (Gateway to reports and a set of recommendations for reform.) [Criminal-Justice and School Sanctions Against Non-heterosexual Youth: A National Longitudinal Study](http://pediatrics.aappublications.org/content/early/2010/12/06/peds.2009-2306.full.pdf+html), Pediatrics, December 6, 2010
3. [Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline](http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html), January 8, 2014, from the U.S. Departments of Education and Justice.
4. [Guiding Principles: A Resource Guide for Improving School Climate and Discipline](http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf), January 2014, from the U.S. Departments of Education and Justice.
5. [Correctional Education in Juvenile Justice Facilities](http://www2.ed.gov/policy/gen/guid/correctional-education/index.html), U.S. Departments of Education and Justice, December 14, 2014.
6. [Can We Fix the Race Problem in America's School Discipline? Four solutions from a new federal report on discriminatory discipline policies](http://www.rollingstone.com/politics/news/can-we-fix-the-race-problem-in-americas-school-discipline-20140124#ixzz3ZZxax7jz), Rolling Stone, January 24, 2014.
7. [As Awareness of the School-to-Prison Pipeline Rises, Some Schools Rethink the Role of Police](http://www.huffingtonpost.com/harold-jordan/school-to-prison-pipeline_b_6911840.html), Huffington Post, March 20, 2015.
8. [Virginia tops nation in sending students to cops, courts: Where does your state rank?](http://www.publicintegrity.org/2015/04/10/17089/virginia-tops-nation-sending-students-cops-courts-where-does-your-state-rank), Center for Public Integrity, April 10, 2015.
9. [Are Black Kids Worse? Myths and Facts About Racial Differences in Behavior: A Summary of the Literature](http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/African-American-Differential-Behavior_031214.pdf), The Equity Project at Indiana University, March 2014

[Black Girls Matter: Pushed Out, Overpoliced and Underprotected](http://www.aclupa.org/index.php/download_file/view/2227/897/), African American Policy Forum and the Center for Intersectionality and Social Policy Studies, December 2014

1. [Schools’ Discipline for Girls Differs by Race and Hue](http://www.nytimes.com/2014/12/11/us/school-discipline-to-girls-differs-between-and-within-races.html?_r=1), New York Times, December 10, 2014
2. [Discipline Disparities: Myths and Facts](http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/Myths_and_Facts_031214.pdf), The Equity Project at Indiana University
3. [Know Your Rights: A Handbook for Public School Students in Pennsylvania](http://www.aclupa.org/index.php/download_file/view/1176/899/374/), ACLU of Pennsylvania, August 2013.This booklet discusses student rights, when they can be exercised, when school officials can limit them, and offers practical tips for students.
4. Memorandum of Understanding Between the Philadelphia School District, the Philadelphia Police Department, the Philadelphia Department of Human Services, the Philadelphia District Attorney’s Office, the Philadelphia Court of Common Pleas, Family Court, and the Department of Behavioral Health and Disabilities Services regarding the Philadelphia Delinquency Diversion Program, May 29, 2014. <http://www.aclupa.org/files/9414/2427/8290/Phila_School_Diversion_MOU_Signed_Copy_as_of_08114.pdf>
5. U.S. Department of Education definition of “physical restraint.” Physical restraint “immobilizes or reduces the ability of a student to move his or her torso, arm, legs, or head freely.” It does not include action taken by an escort to move a student to a new location or away from the site of an incident. “2011-12 Civil Rights Data Collection Definitions,” U.S. Department of Education, Office of Civil Rights <http://ocrdata.ed.gov/Downloads/2011-12_Definitions.doc>

*• NAACP Legal Defense and Education Fund, Inc. page on School to Prison Pipeline at* [*http://www.naacpldf.org/issues.aspx?issue=3*](http://www.naacpldf.org/issues.aspx?issue=3)

*• Charles Hamilton Houston Institute page on Redirecting the School to Prison Pipeline at* [*http://www.charleshamiltonhouston.org/Projects/Project.aspx?id=100005*](http://www.charleshamiltonhouston.org/Projects/Project.aspx?id=100005)

*• Juvenile Law Center at* [*http://www.jlc.org/*](http://www.jlc.org/)

*• Southern Poverty Law Center page on School-to-Prison Pipeline at* [*http://www.splcenter.org/legal/schoolhouse.jsp*](http://www.splcenter.org/legal/schoolhouse.jsp)

*• Dignity in Schools Campaign site with links to research as well as tools specifically for parents, students, community organizers, and educators, at* [*http://www.dignityinschools.org/*](http://www.dignityinschools.org/)

*• Advancement Project site specifically for grassroots advocates challenging the Schoolhouse to Jailhouse Track at* [*http://www.stopschoolstojails.org/*](http://www.stopschoolstojails.org/)

*• Who’s Getting Caught In The “School-to-Prison” Pipeline? And Why?* [*http://www.mintpressnews.com/whos-getting-caught-school-prison-pipeline/196812/*](http://www.mintpressnews.com/whos-getting-caught-school-prison-pipeline/196812/)

*• Race, Disability and the School-to-Prison Pipeline* [*http://colorlines.com/archives/2014/05/race\_disability\_and\_the\_school\_to\_prison\_pipeline.html*](http://colorlines.com/archives/2014/05/race_disability_and_the_school_to_prison_pipeline.html)

*• Children 3 to 21 years old served under Individuals with Disabilities Education Act (IDEA), Part B, by race/ethnicity and type of disability: 2010-11 and 2011-12* [*http://nces.ed.gov/programs/digest/d13/tables/dt13\_204.50.asp*](http://nces.ed.gov/programs/digest/d13/tables/dt13_204.50.asp)

*• The Shocking Details of a Mississippi School-to-Prison Pipeline* [*http://colorlines.com/archives/2012/11/school\_prison\_pipeline\_meridian.htm*](http://colorlines.com/archives/2012/11/school_prison_pipeline_meridian.htm)

*• From Disability to Criminality -* [*http://colorlines.com/archives/2014/05/from\_disability\_to\_criminality.html*](http://colorlines.com/archives/2014/05/from_disability_to_criminality.html)

*•* ***ACLU Racial Justice Program page on Challenging the School-to-Prison Pipeline*** *at* [*http://www.aclu.org/racial-justice/school-prison-pipeline*](http://www.aclu.org/racial-justice/school-prison-pipeline)

**Zero –Tolerance and Other School Discipline -** Lacking resources, facing incentives to push out low-performing students, and responding to a handful of highly-publicized school shootings, schools have embraced zero-tolerance policies that automatically impose severe punishment regardless of circumstances. As harsh penalties for minor misbehavior become more pervasive, schools increasingly ignore or bypass due process protections for suspensions and expulsions. The lack of due process is particularly acute for students with special needs, who are disproportionately represented in the pipeline despite the heightened protections afforded to them under law*. 4 American Academy of Pediatrics, Committee on School Health, “Out-of-School Suspension and Expulsion,” PEDIATRICS (Vol. 112 No. 5, Nov. 2003), p. 1207. See also: Johanna Wald & Dan Losen, “Defining and Re-directing a School-to-Prison Pipeline,” NEW* DIRECTIONS FOR YOUTH DEVELOPMENT (No. 99, Fall 2003), p. 11.

**Policing School Hallways** - Many under-resourced schools become pipeline gateways by placing increased reliance on police rather than teachers and administrators to maintain discipline. Growing numbers of districts employ school resource officers to patrol school hallways, often with little or no training in working with youth. As a result, children are far more likely to be subject to school-based arrests—the majority of which are for non-violent offenses, such as disruptive behavior—than they were a generation ago. The rise in school-based arrests, the quickest route from the classroom to the jailhouse, most directly exemplifies the criminalization of school children.

**Disciplinary Alternative Schools** - some jurisdictions, students who have been suspended or expelled have no right to an education at all. In others, they are sent to disciplinary alternative schools. Growing in number across the country, these shadow systems—sometimes run by private, for-profit companies—are immune from educational accountability standards (such as minimum classroom hours and curriculum requirements) and may fail to provide meaningful educational services to the students who need them the most. As a result, struggling students return to their regular schools unprepared, are permanently locked into inferior educational settings, or are funneled through alternative schools into the juvenile justice system.

***U.S. Justice Department probing Pa. Education Department*** - The probe was prompted by a complaint last August from the Center City nonprofit Education Law Center alleging that the statewide Alternative Education for Disruptive Youth (AEDY) program had a disproportionate number of African-American students and students with disabilities. Deborah Gordon Klehr, a senior staff attorney with the law center, said that as a result of state policies, "school districts across Pennsylvania are discriminating . . . through the misuse of the AEDY program." <http://articles.philly.com/2014-02-21/news/47563077_1_education-department-u-s-justice-department-alternative-education>

**Court Involvement and Juvenile Detention** - Youth who become involved in the juvenile justice system are often denied procedural protections in the courts; in one state, up to 80% of court-involved children do not have lawyers.5 Students who commit minor offenses may end up in secured detention if they violate boilerplate probation conditions prohibiting them from activities like missing school or disobeying teachers**.** *5 ACLU, The Children’s Law Center & The Office of the Ohio State Public Defender, A CALL TO AMEND THE OHIO RULES OF JUVENILE PROCEDURE TO PROTECT THE RIGHT TO COUNSEL (Jan. 2006), p. 1.*

* **Bullying -** Bullying of children with disabilities is significant but there is very little research to document it. Only 10 U.S. studies have been conducted on the connection between bullying and developmental disabilities but all of these studies found that children with disabilities were two to three times more likely to be bullied than their nondisabled peers. One study shows that 60 percent of students with disabilities report being bullied regularly compared with 25 percent of all students. <http://www.pacer.org/bullying/resources/students-with-disabilities/>

<http://www.stopbullying.gov/blog/2013/08/23/keeping-students-disabilities-safe-bullying>

<http://www.stopbullying.gov/at-risk/groups/special-needs/bullyingtipsheet.pdf>

**What is Cyber Bullying?**

Cyber bullying is sending or posting harmful or cruel text or images using the Internet or other digital communication devices, including cell phones and PDA's (personal digital assistants).

**Cyber bullying can include:**

•Sending cruel, vicious or threatening e-mails.

•Creating Web sites that have stories, pictures and jokes ridiculing others.

•Posting pictures of other students/kids online with derogatory phrases or questions attached to them.

•Using someone else's e-mail to send vicious or incriminating e-mails to others.

•Using instant messaging tools to harass others.

**Bullying and LGBT Youth -** Lesbian, gay, bisexual, or transgender (LGBT) youth and those perceived as LGBT are at an increased risk of being bullied. <http://www.stopbullying.gov/at-risk/groups/lgbt/lgbtyouthtipsheet.pdf>

**Beyond Bullying - How Hostile School Climate Perpetuates the School-to-Prison Pipeline for LGBT Youth** - <http://www.americanprogress.org/issues/lgbt/report/2014/02/27/84179/beyond-bullying/>

**Infographic: Schools Are Failing LGBT Youth and Funneling Them into Prison** - Hostile school climates pave the way for lesbian, gay, bisexual, and transgender, or LGBT, youth to spend less time in school and more time on the streets, thus increasing the likelihood of entering into the school-to-prison pipeline. By promoting safe, welcoming, and affirming school climates, policymakers and school administrators can ensure that LGBT youth—who all too often face harassment and discrimination in school—will excel. <http://www.americanprogress.org/issues/lgbt/news/2014/02/27/83604/infographic-schools-are-failing-lgbt-youth-and-funneling-them-into-prison/>

**Understanding the Link between Childhood Bullying and Sexual Violence** <http://www.stopbullying.gov/blog/2013/03/19/understanding-link-between-childhood-bullying-and-sexual-violence>