The School-to-Prison Pipeline: Disproportionality Among Students of Color and Effective

Alternatives

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Abstract

There have been many studies done in the past ten years that question the effectiveness of zero tolerance policies and its contribution to the school-to-prison pipeline. Rather than creating an atmosphere of learning, engagement and opportunity, current educational practices have increasingly blurred the distinction between school and jail (Heitzeg, 2009, p. 1). Youth of color in particular are at increased risk for being —pushed out of schools—pushed out into the streets, into the juvenile justice system, and/or into adult prisons and jails (Heitzeg, 2009, p.1). I conducted an interview with a former principal to gain insight first hand to how zero tolerance policies affect schools, specifically students of color, and alternative steps he has taken to disrupt the school-to-prison pipeline. My research and findings supports that school systems need to shift their focus to increasing student engagement and relationship-building among teachers, students, and families, and utilizing problem solving and prevention work to improve the school climate and community (Mallett, 2016, p. 299). I will make recommendations for current and future teachers to support this shift for a more restorative justice system.

Key Words: *zero tolerance policies, school-to-prison pipeline, racial disproportionality*

Zero tolerance policies in American public schools are becoming more harmful to students than helpful. Ironically, zero tolerance policies once promoted as a solution to youth violence have created a school to prison pipeline (Skiba, 2014, p. 27). Widespread discipline practices of suspension, expulsion, and arrest for school behavior problems are turning kids in conflict into criminal offenders (Skiba, 2014, p. 27). Research shows that many students have been increasingly suspended and expelled due to criminalizing both typical adolescent developmental behaviors as well as low-level type misdemeanors: acting out in class, truancy, fighting, disobedience, and other similar offenses (Mallett, 2016, p. 296). Students are being taken to juvenile hall, suspended, and expelled, and in turn drop-out, don't get adequate class time, fail to make healthy relationships with educators and have a higher chance of going to prison as adults. Research has also shown that students of color are disproportionately affected by this pipeline. These zero tolerance policies as well as other stringent school discipline practices often open or ease the pathway of students, particularly racial and ethnic minorities, toward increased probability of contact with the juvenile justice system (Marchbanks III et al., 2018, p. 243). In this study, I asked the question of how zero tolerance policies and the school-to-prison pipeline disproportionately affect students of color and what alternative practices the public education system can use to disrupt this pipeline?

A Sense of Urgency

One element of urgency in disrupting the school-to-prison pipeline and the reformation of zero tolerance policies is the increased discriminatory treatment of students of color in schools. Schools are believed to be a central social institution that influences youth engagement in deviance and/or delinquency and there has been a growing focus on the role of schools as a potential mechanism that contributes to what is referred to as the Disproportionate Minority

Contact (Marchbanks III et al., 2018, p. 244). The Disproportionate minority contact (DMC) tracks the increased juvenile justice rates for racial and ethnic minority children and highlights the disproportionate number of racial and ethnic minority youth who come into contact with the juvenile justice system (Marchbanks III et al., 2018, p. 243). It is evident that there has been a growing focus on the role of schools as a potential mechanism that contributes to DMC (Marchbanks III et al., 2018, p. 243). Since schools play such a role, the urgency is in the hands of our present and future educators to find alternative ways to discipline students in ways that are ethically just and that contribute to their academic success long term. Finding alternative approaches to student discipline will benefit educators, administrators, parents, students, and the school system in its entirety.

Another equally urgent issue to consider is the negative impact of zero tolerance policies on students' academic success, especially when discipline problems are pulling them out of the classroom. For the last 20 years, fear for the welfare of our children has led us down a "no-nonsense" path of increased punishment and school exclusion in responding to school and community disruption through an approach that has come to be known as zero tolerance (Skiba, 2014, p. 27). At the core of zero tolerance philosophy and policy is the presumption that strong enforcement can act as a deterrent to disruptive students (Skiba, 2014, p. 28). Hoffman, Erickson and Spence (2013) stated, "counterintuitively, some education researchers have found that students who misbehave and are the targets of discretionary zero-tolerance policies are doing well academically, and that the policy prescriptions themselves may lead to school disengagement by the child or adolescent" (as cited in Mallett, 2016, p. 297). When students are adversely affected by zero tolerance policies, their chances at higher levels of education, employment, and freedom from incarceration are put into jeopardy (Smith, 2015, p. 131). The

American public-school systems reevaluation of the research on zero tolerance policies is pertinent and recognizing the harm they are doing to students of all age groups and races is equally important.

Perspectives from a Future Educator (Researcher Positionality)

I have been working with children since I was very young, as a nanny, and later as a preschool teacher, a paraprofessional, and as a tutor. Altogether, I have been working with K-12 children for 10 years. My experience with zero tolerance policies and the school-to-prison pipeline started in 2017 at a rural high school. As an instructional paraprofessional, I helped students in general and special education classes. During my time there, I saw ineffective discipline policies and the disproportionate treatment of students of color. This experience caused me to become interested in the implementation of zero tolerance policies and alternative practices to these policies. I plan to take my research and reinforce my opposition to zero tolerance policies as a future elementary teacher. Later on in my career as an educator, I plan to become an administrator and implement alternative practices within the public school system.

REVIEW OF THE LITERATURE

From Zero Tolerance Policies to a Prison Pipeline

The current zero tolerance discipline practices have become a common concern for students, families, and educators within the school system. The term "zero tolerance policies" refers to public school and district-wide policies that mandate predetermined, typically harsh punishments, such as suspension and expulsion for a wide degree of rule violations (Smith, 2015, p. 125). Research has shown that rather than creating a positive learning environment,

engagement and opportunity, current educational practices have increasingly blurred the

distinction between school and jail (Heitzeg, 2009, p. 1). The population of students that are

being moved out of educational institutions and into the juvenile justice system continues to

grow. The school to prison pipeline is a consequence of schools carrying out zero tolerance

policies and criminalizing minor disciplinary infractions, having a police presence at the school,

and relying on suspensions and expulsions for minor infractions (Heitzeg, 2009, p.2). Students

disciplined through zero tolerance policies are often first-time offenders for nonviolent incidents

and these inflexible policies cause these incidents to go beyond the school grounds (Mallett,

2016, p. 297). Disciplinary issues that should be handled by school administrators are now called

crimes, and students are either arrested directly at school or their infractions are reported to the

police (Heitzeg, 2009, p.1). Students who are suspended, expelled, or have an encounter with the

police, even without being arrested, are more likely to be at risk of incarceration in the future.

According to Smith (2015), no solid data has been released to support the use of zero tolerance

policies as a positive disciplinary practice in public schools (p. 132).

Minorities Affected and at Risk

Youth of color are at increased risk for being pushed out of schools, into the streets, the

juvenile justice system, and/or into adult prisons and jails (Heitzeg, 2009, p. 2). Students of

color, especially African Americans, are much more likely than their white counterparts to be

suspended or expelled from school for disciplinary reasons (Heitzeg, 2009, p. 11). Disciplined

for the same infractions as their white and Asian-American peers, American Indian, Hispanic,

and Black students are suspended and expelled at significantly higher rates (Velez Young-

Alfaro, 2017, p. 301). The behaviors of students of color are no different than the disruptive

behaviors of other students, yet they are more likely to be disciplined. Velez Young-Alfaro

(2017) found that students of color were criminalized or seen as threatening from the language they used, and from their appearances and interactions with others (p. 310). Students were labeled by their educators as well as their peers as "criminals" or "gangbangers", because of the color of their skin and were seen as threats. Research supports that discrimination and racial inequality contributes to the disproportionate treatment of students of color and pushes them towards the pipeline.

Educating Our Educators. Research has supported that a major contribution to the disproportional treatment of students of color and their prevalence in the school-to-prison pipeline is the teachers who refer them. The majority of K-12 educators are a part of the dominant culture. This means that as the nationwide population of school children has become increasingly diverse, the educators working in these schools are still largely a homogeneous dominantly white group (Allen & White-Smith, 2014, p. 5). Recruiting more educators of color is imperative, as the ethnic and racial diversity of the educator workforce does not reflect the diversity of the student body. (Coggshall et al, 2013, p. 440). Emerging research shows that teachers of color are more effective with students of color in promoting student academic achievement than their white counterparts (Coggshall et al., 2013, p. 440). In order to move towards acceptance of all cultures and races, the world's current teachers and future preservice teachers need to be educated on the diversity of their students and practice multiculturalism to show each race, ethnicity and culture respect in their classroom. It is clear that in classrooms today, racial incongruence, teacher bias, colorblind school discipline policies and racialized tracking intersect in ways that deny students of color meaningful learning opportunities, limits their occupational outlooks, and disciplines them in ways that directly (campus arrests) or

indirectly (poor work preparation) places them in the school-to-prison pipeline (Allen & White-Smith, 2014, p. 8-9).

Academically Disadvantaged. Our current discipline policies set students at a disadvantage academically. Research has shown that just one suspension in the ninth grade has been found to double the risk for failing subsequent academics (Mallett, 2016, p. 297). Students suspended once are more likely to be suspended again, and to further disengage from their school communities (Schiff, 2018, p. 124). Suspended students tend to fall further and further behind both academically and behaviorally as they lose capacity and resources to make up lost work and successfully reenter the school environment (Schiff, 201, p. 124). Once students fall behind in school after getting trouble at school, they often have to find other pathways to become successful. A common theme for many students of color is how a lack of educational opportunity and success shifted their focus to attaining economic opportunities through other pathways (Hatt, 2011, p. 476). The lack of educational opportunity contributes to dropout rates, behavioral issues inside the classroom and can lead to the disproportionality of students of color involved in the school-to-prison pipeline. Educators and school personnel need to be aware that students of color are taking these alternate pathways for motivations like economic opportunity, education, relationships, respect and power. If educators could give their students all these important aspects of life within the classroom, students would have more motivation to stay in school.

Effective Alternatives Used for Disruption

Teachers, counselors, administrators, and other school personnel play a key role in the disruption of the school-to-prison pipeline. When educators have the competencies and capacity to effectively address the diverse academic, social and emotional learning needs of all students

and to build positive conditions for learning, they not only can begin to redress the

overrepresentation of students of color in the pipeline to prison but also put more students on

paths to successful futures (Coggshall et al., 2013, p. 435). Restorative justice practices (RJP) are

increasingly being applied in schools to address youth misbehavior, rule violations and to

improve school climate, both as individual school initiatives as well as overall school district

policy (Schiff, 2018, p. 125). Schiff (2018) states that restorative justice is based on the notion

that 'justice' should be more than simply punishing or treating rule breakers, but rather is about

building relationships and repairing the harm caused to victims, offenders and community (p.

126). RJP presumes that school misbehavior and other conflict is not simply a violation of the

rules, but rather is a violation of the relationships that form the foundation of a school's climate

and culture (Schiff, 2018, p. 125). Schiff (2018) explains in more detail about how a school

should handle a violation of the school rules:

> The central idea is that once a value-based normative restorative culture has been
>
> established and subsequently violated, a restorative response to conflict should focus first
>
> on addressing the break in relationships and what repair is needed, and then on violations
>
> of rules after the relationships have been reestablished. A restorative process gives voice
>
> to affected participants, engages students and adults in collaborative problem-solving,
>
> encourages participants to take personal responsibility and, importantly, includes
>
> strategic plans for restoration/reparation encouraging those with a stake in the event and
>
> the outcome to develop agreements and mend broken relationships (p. 126).

Achieving justice and meaningful school discipline in a restorative way suggests that holding

offenders or rule-breakers accountable is not about asking them simply to 'take the punishment,'

but rather about ensuring that they take responsibility by understanding the impacts of their

actions and then making amends to those harmed (Schiff, 2018, p. 126). Restorative Justice's

greater focus on accountability, reintegration and inclusion, community building, and the

development of problem solving skills is particularly beneficial for schools because it allows for

the development of a safe, collaborative, and positive environment in which students are more

likely to succeed (Simson, 2014, p. 554). Multiple strategies have been implemented in schools

all over the United States including restorative mediation, conferences or circles, daily informal

restorative meetings, classroom circles, restorative dialogue, restorative youth courts, peer

mediation and other practices (Schiff, 2018, p. 127).

Restorative Justice Practices mostly focus on the classroom community and give more

responsibility to its educators. Research supports that positive teacher-student relationships in

schools are central to positive academic and social outcomes for students and therefore can help

prevent entrance into the pipeline (Coggshall et al., 2013, p. 436). If teachers have positive

relationships with their students, their students will respect the classroom community and less

disciplinary behaviors may result. Teachers should also have appropriate strategies for handling

misbehavior and teaching appropriate behavior expectations can help prevent minor misbehavior

from accelerating into a classroom or school crisis (Skiba, 2014, p. 32). Educators' attitudes

about their students and their competencies affect their students in profound ways. Educators'

high expectations for students have repeatedly been shown to positively influence student

outcomes, particularly among students who are at risk (Coggshall et al., 2013, p. 436). The social

and emotional behaviors of the teachers in the classroom can affect their students in many ways:

> Teachers' social and emotional behaviors set the tone for a classroom climate that can
>
> facilitate desired student outcomes or exacerbate poor student outcomes. Moreover,
>
> teacher stress and burnout, which can result from teachers' inability to cope with the

emotional demands of teaching, can negatively affect student outcomes by contributing to

poorer teacher attendance and more teacher attrition (Coggshall et al., 2013, p. 436).

Students rely on their teachers to be a positive role model in their life and they are constantly

watching their behaviors, attitudes, and competencies. Coggshall et al. (2013) points out that

students must feel emotionally and physically safe in the classroom:

> Adults can create a physically and emotionally safe environment by the policies they
>
> create, the way they implement the policies (e.g., addressing bullying when they observe
>
> it), by listening to student safety concerns and responding in what they perceive to be a
>
> helpful manner, by engaging students in the solutions and by modeling and reinforcing
>
> appropriate behavior and emotional control (p. 437).

Ensuring that students feel safe, supported, secure, and challenged to be their best self, will

decrease the likelihood that disruptive behaviors arise.

METHODOLOGY

In this section I will discuss Critical Race Theory and how it relates to school discipline

and the disproportionate treatment of students of color. I will also touch on an interview with my

community partner who has experience with zero tolerance policies and gives insight and

alternatives to these policies.

A Critical Race Theory

Allen and White-Smith (2014) stress that "as elements of a stratifying institution, policy

decisions and teacher practices reproduce economic and racial inequalities for many in poverty

and people of color. Critical Race Theory (CRT) is particularly useful as an analytical tool to examine structural barriers that students of color face in school" (p. 3). CRT was developed in the 1980s as an intellectual project and movement of scholars of color who sought to critique and to explore the relationships between law, race, racism, and social power in ways that existing fields could not or had not (Simson, 2014, p. 526). Simson (2014) also states that, "CRT emphasizes its interdisciplinary approach to resolving and ameliorating the still-existing oppression of people of color" (p. 526) .Completing the vicious cycle, the experiences of American youth confirms and rigidifies broader social meanings that associate inferiority and lack of true societal belonging with students of color, and superiority and societal leadership with whiteness (Simson, 2014, p. 534). For instance, when examining school policies and minority groups' achievement, a critical race theory of education exposes how students of color are disproportionately likely to attend inequitably funded public schools, have unequal access to school knowledge, and are thus likely to be sorted into lower ability academic tracks (Allen & White-Smith, 2014, p. 4). The current state of racial and class school segregation indirectly contributes to the school-to-prison pipeline for students of color in that poor educational opportunities contribute to high unemployment rates and poverty, making students of color more susceptible to encounters with the criminal justice system (Allen & White-Smith, 2014, p. 5). Racially disproportionate suspension numbers represent a microcosm of racial stigmatization in the United States and illustrate the real negative effects of implicit bias on the lives of minority schoolchildren (Simson, 2014, p. 546). Teachers, as decision makers contribute to these numbers. These students are set up for the disproportionate treatment and punishment because decision makers perceive them as extraneous bodies engaging in inappropriate behavior within a societal fabric structured around white interests (Simson, 2014, p. 552).

Community Partner Interview

I believed my community partner, Mr. Smith could help me understand how zero tolerance policies affect students of color disproportionately and offer me some guidance to alternative ways that have worked for him in the past. Mr. Smith was an administrator for many years and I think his insights will help me understand what problems are going on in schools today related to discipline, what kind of policies are in effect, and how his students are affected by suspension/expulsion. I value his insight to this problem in the school system because he has been highly successful in the past at disrupting that pipeline.

FINDINGS AND DISCUSSION

I will discuss the interview I conducted with Todd Smith and the questions I asked him to gain insight first hand on how zero tolerance policies affect schools, specifically students of color, and alternative steps he has taken to disrupt the school-to-prison pipeline. He also gives insight to future educators and their importance in the disruption of the school-to-prison pipeline.

Discussion of Findings

I met with Todd Smith on Tuesday, October 13, 2020 via Zoom and recorded our conversation to ensure I was present with him and his valuable insights. He has been an educator for 25 years and continues to contribute to the school system, by providing support to students at California State University, Chico. He describes his purpose as an educator is striving to empower students and staff in the educational community. His work at Met Sacramento High school was one of the many parts of his career that interested me and related to my research. He

worked with around 300 students, each one whom he had a close relationship with. He even

described them as his family.

I asked him a series of questions after reviewing his resume and relating it to my

research. The first question I asked was: What is your view on the school-to-prison pipeline? Mr.

Smith talked from experience with the discipline system that the pipeline was very prominent in

the school system today. He goes on to say, "[the] pipeline flows too heavy with students of

color getting caught up in the system at an early age" (Smith, 0:53). As Mr. Smith seems to

know, risk of entry into the school to prison pipeline is not random (Heitzeg, 2009, p. 1). After

researching which students are more at risk, I thought that it was interesting that Mr. Smith

mentioned the disproportionality related to students of color, even though it wasn't part of my

question. The next question I asked was: Are students of color disproportionately affected by this

pipeline? He went on about his experience with students of color and how they were usually in

trouble more, not given the same opportunities as whites, and the cards were often stacked

against them. He then said he had experienced that, "the drop off for kids of color to go off to

college is far less than someone who is not of color" (Smith, 1:28), because of the pipeline. I

found this insightful to my research because he has seen the effect on students of color firsthand

and how it not only affects them in high school, but in college as well. According to 2001

Statistics, the percentage of American Indians, Hispanic and Black students who graduated in

comparison to White students was significantly lower and youth of color were far more likely to

end up unemployed, in prison, and living in poverty (Hatt, 2011, p. 478). Then I asked him how

we, as current and future educators, could disrupt this cycle and help these students get to college

and have a better chance. He replied, "I think it is an institutionalized issue, it's bigger than the

both of us, and it's going to take people like you who are young [and] their back is still strong to

right this wrong" (Smith, 1:48). I agree with Mr. Smith that future teachers and those who have

been teaching for years need to come together and find a better way. Ensuring that educators

have the capacity to make a difference is critically important and requires focused attention on

each aspect of the educators' career continuum-recruitment, preparation, induction and ongoing

professional learn- ing and development (Cogshall et al., 2013, p. 435). Mr. Smith's statement

led to my next question. The third question I asked him was: What alternative ways to zero

tolerance policies have you found useful as an administrator? He started by saying that creating a

community, a safe haven for students at school, is one of the key ways to stay away from these

policies. He stressed that making relationships with your students is important and that, "there

are amazing things that happen when you treat kids and people for that matter with honor and

respect…listen, let their voice be heard and you can move mountains" (Smith, 8:34). Many

researchers have concluded that positive relationships with teachers are associated with

reductions in dropping out, delinquency and other high-risk behaviors (Cogshall et al., 2013, p.

436). As an administrator, he wanted to show his students that they had someone to come to

when things got tough and was always approachable and accessible to all of his students. The

last question I asked was: How are your teachers involved in your educational approaches? I

asked this question, because I wanted to learn about the relationship between administrators and

teachers a little more and see how they worked together at a common purpose. Mr. Smith talked

about the hiring process of his teachers and how he tries to find "teachers that will nurture

students rather than just be about some kind of cookie cutter school, one size fits all [education

system]" (Smith, 14:30). He stressed that nurturing students is knowing they are all different,

building respectful relationships with them, and treating them like the young adults they are. By

implementing the zero tolerance policies the goal of nurturing these students goes away and they

no longer look at school as a safe place. Making relationships and creating schools that are safe

places for all students is what Mr. Smith believes will disrupt this pipeline. The school system

needs to focus on increasing student engagement and relationship-building among teachers,

students, and families, and utilizing problem solving and prevention work to improve the school

climate and community (Mallett, 2016, p. 299).

I learned from Todd Smith and confirmed from my research of the literature that students

of color are more at risk of being funnelled through the pipeline. Todd Smith also stressed that it

is important to create a family among the classroom and school communities, which relates to

the Restorative Justice Practices I learned about in my literature. Smith also recommended that

schools need to find teachers who will nurture students and make healthy relationships with

them. This interview confirmed many important points in my literature review that focused on

minorities that are more at risk, how zero tolerance policies bring negative effects into schools,

and how educators can use alternative practices to disrupt such pipeline.

FINDINGS

My concluding points focus on the negative effects of zero tolerance policies and

alternative practices educators can take to disrupt the school-to-prison pipeline. I will also touch

on my implications and recommendations for current and future teachers that I believe will help

them move toward a more restorative justice program.

Conclusion

There is no doubt that zero tolerance policies contribute to the school-to-prison pipeline

and these policies are damaging the life experiences students have inside and out of school.

Skiba (2014) stressed that reducing referrals to juvenile justice and school-based arrests will

require collaboration between educators, juvenile justice programs and law enforcement in order to develop effective alternative strategies, such as restorative justice, that can contribute to school safety while reducing the risk of student involvement in the juvenile justice system (p. 32). Educators, school administrators, and other school personnel need to come together to initiate the restoration of these zero tolerance policies, starting with the classroom communities' students need to succeed. We can no longer afford simply to throw away those who transgress in our schools, especially when such exclusions continue to disproportionately impact those who have been marginalized throughout our history (Skiba, 2014, p. 32). Keep in mind, there is no simple solution to the disruption of the school-to-prison pipeline, but I believe each school can start to move towards a more restorative justice approach to benefit these students.

Implications and Recommendations

I learned that there is no such evidence that supports the positive effect zero tolerance policies have on schools discipline systems. I also gained more knowledge on how zero tolerance policies contribute to the school-to-prison pipeline and the need for a shift in schools toward alternative practices. Another important fact related to my problem of practice is how students of color are more likely at risk of being affected by the pipeline and how educators contribute to this disportionate treatment. Many researchers and I believe there is no simple solution, but it can be started with teacher education, supportive classroom environments, and less suspensions/ expulsions. I also believe, as a future educator, I need to remember all of the harm that zero tolerance policies are inflicting on students of both superiority and inferiority. I want to be a teacher who focuses on student-teacher relationships, give my students the support they need inside and outside of the classroom, find alternative ways of disciplining (instead of suspension and expulsion), and use a more restorative justice approach. As for future and current educators,

I believe it is important to start training programs that promote multiculturalism and restorative

justices techniques to begin the disruption of zero tolerance policies and the school-to-prison

pipeline.

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