

Committee: Social, Humanitarian and Cultural Committee (GA3)

Issue: Assessing and eliminating the effects of school-to-prison pipelines in the Americas

Student Officer: Eleonora Stropouli

Position: Co-Chair

PERSONAL INTRODUCTION

Dear delegates of the GA3 committee,

My name is Eleonora Stropouli and I am honoured and extremely excited to be one of the Co-Chairs in the Social, Humanitarian, and Cultural Committee in the American College of Greece Model United Nations. This is going to be my second time chairing and the 9th conference I attend. *'Assessing and eliminating the effects of school-to-prison pipelines in the Americas'* is a truly dire topic, as the school-to-prison pipeline is a relatively recent phenomenon identified by researchers as a link between negative school outcomes, such as discipline, and involvement in the justice system, making this issue a matter of urgency regarding the Social, Humanitarian and Cultural Committee. Apart from this study guide, which will serve as pretext to your investigation, I highly advise you to extend your research and that you research your delegation's policy thoroughly. In that case where any questions arise, please feel free to contact me at any time through my email (e.stropouli@acg.edu). I wish the best of luck for your preparation regarding this issue and I am overly excited to meet you all!

Sincerely,

Eleonora Stropouli

TOPIC INTRODUCTION

The criminal justice system's frequently erroneous strategies, which put an emphasis on punishment rather than rehabilitation, are seeping into schools despite abundant evidence that violence and crime in schools are declining.

Utilizing the metaphor of a pipeline that allows water to flow freely to meet demand, discussions typically center on blocked, leaking, broken or dry pipes to represent disproportionate educational successes of minority groups.

This has caused numerous school systems to "clamp down" on kids, putting more of an emphasis on punishment and criminalization than on instruction. Compared to a generation before, youngsters are now much more likely to be arrested at school. This finding strongly shows that school suspensions act as a negative turning point that increases youth's chance of encountering incarceration when they enter adulthood when seen within the life-course perspective. This research essentially confirms the theory of a school-to-prison pipeline, according to which children who get exclusionary discipline in school are actually put at a high risk of being imprisoned¹. From 1.7 million in 1974 to 3.1 million in 2000, the number of kids who are expelled from school each year has nearly doubled. In addition, one out of every fourteen pupils were suspended at least once in 2006.²

The pipeline from schools to prisons is a troubling trend. The combination of educational and public safety policies and practices known as the "school-to-prison pipeline" are what drive students out of the classroom and into the community, the juvenile justice system, or the criminal justice system. Through the pipeline, there are both direct and indirect routes. Direct police engagement in enforcing punishment

¹ Hemez, Paul, et al. "Exploring the School-to-Prison Pipeline: How School Suspensions Influence Incarceration during Young Adulthood." *Youth Violence and Juvenile Justice*, U.S. National Library of Medicine, July 2020, www.ncbi.nlm.nih.gov/pmc/articles/PMC8277150/.

² *Introduction: Challenging the School-to-Prison Pipeline*.
digitalcommons.nyls.edu/cgi/viewcontent.cgi?article=1360&context=fac_articles_chapters.

and zero-tolerance policies that frequently result in arrest or referral to the juvenile criminal system puts pupils into the pipeline.

Additionally, police guards and metal detectors frequently turn our schools from welcoming places for learning into fictitious incarceration facilities. Many people would consider nonviolent infractions of school rules to be standard child behavior, but an alarming number of youngsters—and a disproportionate number of students of color—are being expelled from mainstream educational settings.

DEFINITION OF KEY TERMS

Criminal Justice System

The criminal justice system is a collection of public and private organizations set up to handle criminal suspects and offenders who have been found guilty. The judiciary, forensic services, law enforcement, and corrections are some of the interconnected pillars that make up the criminal justice system.³ The school-to-prison pipeline refers to education and public safety policies that push students into the criminal legal system.

Disciplinary Procedures

In schools, the term "disciplinary" is frequently used to refer to a variety of sanctions for misbehavior. Detention, suspension, expulsion, and referral to the principal's office are a few examples of disciplinary procedures that a school may take. The student's transgression will determine the severity and length of the disciplinary procedure.⁴ Exclusionary discipline encompasses any type of school disciplinary action that removes or excludes a student from his or her usual educational setting.

³ "Criminal Justice System." *Criminal Justice System - an Overview* | ScienceDirect Topics, www.sciencedirect.com/topics/psychology/criminal-justice-system.

⁴ NicoleLA. "What Is a Disciplinary Action in School?" *Education Attorney*, 2 Sept. 2021, educationattorney.com/what-is-a-disciplinary-action-in-school/.

Disparities in the use of exclusionary discipline can lead to a school-to-prison pipeline for some of the most vulnerable members of our society.

Juvenile incarceration

Juvenile incarceration is a form of short-term confinement that is most often applied after a youth has been arrested but before a judge has determined whether they are guilty. Only when a court determines that a young person is at risk of committing crimes or fleeing during court proceedings is pre-trial detention appropriate.⁵ Schools send students into the pipeline through zero-tolerance disciplinary policies, which involve the police in minor misbehavior and often lead to arrests and juvenile detention referrals. This can result in criminal charges and incarceration.

Latinx

‘The term is used to describe the diverse group of people who have roots in Latin America’⁶

PCSO’s

‘Police Community Support Officers (PCSOs) work with police officers and share some, but not all their powers. Special constables are volunteers who have the same powers as police.’⁷ They do not have the power to arrest a person though.

⁵ The Annie E. Casey Foundation. “Juvenile Detention Explained.” *The Annie E. Casey Foundation*, 14 Nov. 2020, www.aecf.org/blog/what-is-juvenile-detention.

⁶ Roth, Minhae Shim. “Experts Explain What Latinx Means and How to Use It.” *Good Housekeeping*, Good Housekeeping, 2 Nov. 2021, www.goodhousekeeping.com/life/a33806428/what-latinx-means/.

⁷ Service, Government Digital. “Police Community Support Officers (Pcsos) and Special Constables.” *GOV.UK*, GOV.UK, 11 Dec. 2015, www.gov.uk/police-community-support-officers-what-they-are.

Racial disproportionality

Racial Disproportionality is the term used to describe the overrepresentation of children of color in the child welfare system when compared to the total number of children of color in the population.⁸

Suburban schools

Schools outside of urban areas that largely enroll white and Asian pupils from wealthier backgrounds.⁹ Due to parental participation and the number of technological, athletic, and other after-school programmes, suburban schools typically have lower crime rates. Families of pupils at the school typically provide teachers with greater funds and assistance.¹⁰

Suspension

‘The act of forcing someone to leave a job, position, or school for a usually short period of time as a form of punishment: the act of suspending someone’¹¹ Out-of-school suspension may increase criminal offending behavior by problem youth, more than doubling the probability of arrest.

Urban schools

Schools in or near metropolitan regions that primarily serve low-income, multiethnic pupils in heavily populated areas. Urban schools are frequently

⁸ “Racial Disproportionality Definition.” *Law Insider*, www.lawinsider.com/dictionary/racial-disproportionality.

⁹ “What Is Suburban Schools.” *IGI Global*, www.igi-global.com/dictionary/suburban-schools/52989.

¹⁰ McGee, Kimberley. “What Is a Suburban School?” *The Classroom | Empowering Students in Their College Journey*, 5 Nov. 2021, www.theclassroom.com/suburban-school-5108665.html.

¹¹ *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., www.britannica.com/dictionary/suspension.

distinguished from suburban schools by higher rates of student mobility and lower academic attainment.¹²

Zero tolerance system

A school that has a "zero tolerance" policy means that it will not tolerate any sort of misbehavior or infraction of the rules, especially when it involves a black student, no matter how trivial, inadvertent, or subjectively defined it may be.¹³ Schools send students into the pipeline through zero-tolerance disciplinary policies, which involve the police in minor misbehavior and often lead to arrests and juvenile detention referrals.

BACKGROUND INFORMATION

The Early Origins of the School-to-Prison Pipeline

In response to the victories of the civil rights movement, the school-to-prison pipeline grew more severe. Through the 1960s and 1970s, schools began to desegregate, and Black and Latinx kids started to have access to higher-quality education. By the mid-1970s, urban schools spent roughly the same amount as suburban schools, and child poverty rates sharply decreased—to levels below those of today. Test results improved as a result of more equitable educational access and investments in fighting poverty. Math and reading achievement gaps between Black and White children were significantly narrowed, and for a brief period, Black and White rates of college participation were equivalent. Significant Black and Latinx communities started to access the middle class through educational access and affirmative action initiatives.

The tide reversed on racial retrenchment as Black and Latinx communities were making significant advancements. In the 1980s, social programmes and

¹² "What Is Urban Schools." *IGI Global*, www.igi-global.com/dictionary/urban-schools/33609.

¹³ "Schools to Prison Pipeline." *The Black Child Agenda*, 16 Oct. 2020, www.theblackchildagenda.org/tackling-the-schools-to-prison-pipeline/.

affirmative action were curtailed while racial profiling of individuals of color increased. The progress of Black and Latinx children's educational outcomes has virtually stagnated. In the 1980s, the so-called achievement gap—the disparity in educational success between white students and pupils of color—started to widen once more.¹⁴

School-to-prison pipeline explained

Education and public safety practices that force pupils into the criminal justice system are referred to as the "school-to-prison pipeline." Zero-tolerance disciplinary procedures, which involve the police in cases of minor misconduct and frequently result in arrests and referrals to juvenile incarceration, put pupils into the pipeline. Criminal charges and incarceration may follow from this. Through suspension, expulsion, discouragement, and even the need to take high-stakes tests, schools also inadvertently force youngsters into the pipeline. The pipeline disproportionately affects LGBTQ kids, youth of color, and youth with disabilities. The pipeline from school to prison begins in the classroom and is. When used in conjunction with zero-tolerance policies, a teacher's choice to report a student for punishment may result in their expulsion from the classroom and a significantly increased likelihood that they will be dealt with by the criminal justice system.

The adoption of zero tolerance policies that need exclusionary sanctions and the presence of PCSOs & Social Workers on school grounds are the two main factors that created and are still maintaining the school-to-prison pipeline. Following a wave of school shootings that occurred across the United States in the 1990s, these policies and procedures became widespread (despite these shootings being carried out by white students). However, research indicates that the best chance of reducing violence and also improving the overall academic achievement and environment of schools rests in rejecting punitive school discipline and replacing it with supportive systems. Training and supportive approaches to discipline cannot guarantee that

¹⁴ *Academic.oup.com*, academic.oup.com/book/39078/chapter/338456596.

school shootings will not occur. If we stop supporting the forward-thinking initiatives that schools are implementing, we will send them into a less safe and more dangerous world.¹⁵ They hoped to contribute to ensuring safety on school campuses by legislators and instructors.¹⁶ Exclusions and expulsions are typical ways of handling what has been viewed as student misbehavior in a school with a zero-tolerance policy.

Primary factors

The primary factors that affect this situation in the majority are financial and social factors but are also not limited to actions taken by the government of the state concerned and decision but also policies it adopts. To find out if the school-to-prison pipeline is still a problem, a qualitative survey was carried out with staff members over the age of 18 at a public, continuation high school in the San Francisco Unified School District. Whether or not there are sufficient supports or measures in place to support kids and keep them in school is a challenge that the educational system is now confronting. The survey's findings indicate that a system that is unable to support students in comprehensive high school settings and that an increasing number of students are being forced into the school-to-prison pipeline give those pupils limited skill sets and limited opportunities for the future. According to the findings, it is advised that districts implement job experience programs to encourage students to stay in school and fulfill their socioeconomic need to support their families in a balanced manner. Additionally, districts should look into community-based programs to aid in educating and supporting families in addressing issues like trauma, neighborhood violence, and unstable home environments that continue to have a

¹⁵ Derek W. Black Professor of Law. "Zero Tolerance Discipline Policies Won't Fix School Shootings." *The Conversation*, 13 Sept. 2022, theconversation.com/zero-tolerance-discipline-policies-wont-fix-school-shootings-93399.

¹⁶ "Schools to Prison Pipeline." *The Black Child Agenda*, 16 Oct. 2020, www.theblackchildagenda.org/tackling-the-schools-to-prison-pipeline/.

negative impact on students' academic performance and, as a result, their general well-being.¹⁷

Lack of funding and resources

When students are disengaged and lack the support services, they need to continue their academic pursuits, discipline issues can occur. Delinquency and high dropout rates are caused by a lack of textbooks, untrained teachers, and a lack of counselling and special education services. Many schools are opting to forgo mentoring and assistance for pupils in favor of exclusion and arrest due to pressure from high stakes testing and a lack of resources. The existing system of educational accountability does in fact provide teachers the perverse incentive to pick and choose those they want to educate and to ignore the others.

Alternative school environments

Children who have received discipline in some public school districts are sent to alternative schools, many of which are managed by private, for-profit businesses that are exempt from state and federal education regulations. Students discover that they are totally unprepared to keep up when they are sent back to the regular school setting. In addition, some school systems' policies prohibit expelled or suspended pupils from receiving any kind of educational services.

Zero tolerance policies

These policies, which were designed in part in reaction to the rise in violent occurrences at schools in the 1990s, are now in place at all grade levels, including preschool.¹⁸ Regardless of the circumstances surrounding the

¹⁷ *School-to-Prison Pipeline: The Factors That Cause It, and How We Can by ...*
digitalcommons.humboldt.edu/cgi/viewcontent.cgi?article=1124&context=etd.

¹⁸ Chen, Grace. "School-to-Prison Pipeline Persists despite Local, State and National Efforts."
Public School Review, Public School Review, 11 May 2020,

conduct, they impose automatic penalties for transgressions. Some kids have been dismissed or expelled from school for infringing on rules without constituting a threat, such as a youngster who broke the no-weapons rule by carrying scissors in their backpack or a pupil who broke the no-drugs rule by carrying over-the-counter allergy medication.¹⁹

The fact that these regulations frequently disregard a student's right to due process once they have been accused of misbehaviors, especially for children of color or those with special needs, only serves to exacerbate the issue. In the year after being excluded or expelled, adolescents are more likely to interact with the juvenile criminal system and are less likely to graduate from high school. They are also more than twice as likely to be arrested while on forced absence from school.²⁰

Police in the schools

In order to keep the peace in the classrooms and hallways, schools have grown to rely largely on an armed police presence. In fact, there are 38% more school resource officers now than there were in 1997.²¹As a result, children today are much more likely to be jailed than they were just 10 or 15 years ago when they commit even minor violations, like disturbing a class. In other

www.publicschoolreview.com/blog/school-to-prison-pipeline-persists-despite-local-state-and-national-efforts.

¹⁹ Chen, Grace. "School-to-Prison Pipeline Persists despite Local, State and National Efforts." *Public School Review*, Public School Review, 11 May 2020, www.publicschoolreview.com/blog/school-to-prison-pipeline-persists-despite-local-state-and-national-efforts.

²⁰ "Schools to Prison Pipeline." *The Black Child Agenda*, 16 Oct. 2020, www.theblackchildagenda.org/tackling-the-schools-to-prison-pipeline/

²¹ Chen, Grace. "School-to-Prison Pipeline Persists despite Local, State and National Efforts." *Public School Review*, Public School Review, 11 May 2020, www.publicschoolreview.com/blog/school-to-prison-pipeline-persists-despite-local-state-and-national-efforts.

words, the type of responses an officer uses to address student wrongdoing are probably influenced by the role they are given. For instance, if an officer's sole responsibility is law enforcement, one would anticipate that they would deal with student wrongdoing using the legal instruments they have been trained to use (such as arrest and ticketing).



Figure 1: Police in school premises ²²

Juvenile court and detention

When students are expelled from school as a result of zero-tolerance rules or school-based arrests, they frequently end up in court cases or, worse yet, juvenile jail, even for minor violations. It is very challenging for a student to change course and return to school once they have already reached that point. Many of these children become impoverished, jobless, or involved in major criminal behaviors because they lack schooling or a safe place to go during the day.

²² "The Prevalence of Police Officers in US Schools." *Urban Institute*, 21 June 2018, www.urban.org/urban-wire/prevalence-police-officers-us-schools.

Impacts

The "School-to-Prison-Pipeline" is reinforced by this flow of students out of classrooms and onto the streets and juvenile justice system, depriving children and youth of worthwhile prospects for education and future employment.

Well-being

While racial disproportionality in exclusionary discipline exists, there is less knowledge about how this translates to future life outcomes *across* race. The notion that exclusionary discipline starts a chain of events that stigmatizes and forces pupils out of school and into the judicial system is at the heart of the school-to-prison pipeline concept. According to research, being called a "troublemaker" at school has negative consequences on future academic success and raises the chance for future delinquency and other problematic behaviors.²³ Particularly, a considerable collection of research indicates that students who receive punitive measures are more likely to struggle academically or leave school.²⁴ With comparable hazards in their families, schools, peer groups, and neighborhoods, it is evident that certain vulnerable children and adolescents share common experiences and challenges when involved in school discipline and the juvenile justice system.

Opportunities

The likelihood of the young person experiencing school problems, peer problems, family problems, involvement with the police, and involvement in

²³ About the author Blog Admin Posted In: Education | Racheal Pesta, et al. "How School Discipline Primes the School to Prison Pipeline for Young Blacks." *USAPP How School Discipline Primes the School to Prison Pipeline for Young Blacks Comments*, www.blogs.lse.ac.uk/usappblog/2018/05/07/how-school-discipline-primes-the-school-to-prison-pipeline-for-young-blacks/

²⁴ Martinez-Prather, Kathy, et al. "The School-to-Prison Pipeline: How Roles of School-Based Law Enforcement Officers May Impact Disciplinary Actions." *Journal of Qualitative Criminal Justice & Criminology*, PubPub, 1 Nov. 2016, www.qualitativecriminology.com/pub/v4i2p4/release/1.

juvenile court increases significantly as a result of these risks, experiences, and issues; for some, this may mean participation in the school-to-prison pipeline. For the students most impacted by this situation, a suspension may have a profound impact on their lives. More than poverty, it is the biggest indicator of whether kids will drop out of school and travel a path that increases their chances of obtaining a job, using social services, and being sentenced to prison.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Brazil

Inequality in education in Brazil has been worse over the past few decades due to a variety of factors. Brazilian public schools often enroll children from low-income households, whereas one-fourth of the country's educational institutions are private, serving pupils whose parents can afford the high fees. Schools in affluent cities receive better funding than those in poorer states and places outside of major cities because the funding for these institutions is dependent on state and local budgets. Importantly, initiatives like conditional transfer and mandatory enrolment have encouraged education in Brazil.

A 2007 World Bank study found that "there is an intimate association between education, social conditions, and crime," and that "children under the age of 18 commit 20–25% of crimes" in So Paulo among those whose ages are known.²⁵ High rates of grade repetition and dropout in Brazil's public schools are particularly notable, frequently as a result of students' disengagement. 19% of 15 to 17-year-olds who are not enrolled in a public school have completed high school. This percentage is 28% in the white population while it is just 15% in the black population.²⁶ The PEC 171/93

²⁵ Sens, Emilia. "The School-to-Prison Pipeline: Early Education Inequality Shapes Incarceration in US and Brazil." *RioOnWatch*, 30 May 2017, rionwatch.org/?p=35924.

²⁶ Sens, Emilia. "The School-to-Prison Pipeline: Early Education Inequality Shapes Incarceration in US and Brazil." *RioOnWatch*, 30 May 2017, rionwatch.org/?p=35924.

constitutional amendment, which was enacted by Brazil's Congress in 2015, lowers the age of criminal culpability for violent offences from 18 to 16. Some claim that reducing the minimum age and lengthening prison terms will simply make racial imbalances in the Brazilian legal system worse.

United Kingdom (UK)

Absenteeism from school and expulsion from school have long been associated with worse results in adulthood, including increased rates of involvement in criminal activity. Surprisingly, students who are expelled from school at the age of 12 have a four times higher likelihood of being imprisoned as adults than other youngsters. The phenomenon is so frequently referred to as "The School to Prison Pipeline." Given the disproportionate numbers of children from low-income households who are excluded from UK schools, this issue is especially alarming.²⁷

The UK has more individuals behind bars than any other country in Western Europe, and the disproportionate number of Black prisoners is actually higher than in the US, despite the UK's jail population being negligible in comparison to the mass imprisonment of the US. The UK government started stepping up the harsh punishments schools can administer in recent years and expanding some of those powers to include areas outside of the school. Teachers now have greater authority to physically restrain students and search them for contraband or prohibited goods like cell phones or other illicit stuff. Schools now have the authority to discipline students for behavior that took place off-campus or after school hours. Police officers are now a full-time fixture in many UK metropolitan schools as a result of the high-profile murder of a London head teacher by a 15-year-old student in 1995 and the increased awareness surrounding school violence (particularly gang violence). They

²⁷ "The School to Prison Pipeline: A UK Perspective." *University of Birmingham*, www.birmingham.ac.uk/university/colleges/socsci/events/esrc-festival-2022/events/school-to-prison-pipeline.aspx.

are responsible for safeguarding student and staff safety, preventing crimes on school grounds, and assisting teaching staff with discipline issues.²⁸

United States of America (USA)

In recent years, school districting has also revealed signs of social and racial exclusion. Students in the United States typically attend the public schools that are closest to their homes, and because of economic gaps, classrooms often lack racial and economic variety. Regardless of the district's financial situation, public schools with higher proportions of black and racial minority students typically often receive less financing than those with higher proportions of white pupils. Racial achievement gaps caused by unequal funding for certain groups place black and minority kids at a significant disadvantage. Less money means less resources to hire high-quality teachers and give pupils the tools they need to succeed.

In addition to their already severe disadvantages—discrimination and inadequate school funding—black communities frequently experience conflict with law enforcement. School suspensions begin as early as preschool as a result of these tensions that begin to develop in classes and institutions. The likelihood of dropping out of high school completely has grown, which is one of the main negative repercussions of the achievement gap between races. People who leave school early are significantly more likely to start engaging in unlawful behavior to make a living. In contrast to 71% of black students, 86.6% of white students graduate from high school, according to a 2013 study by the U.S. Department of Education.²⁹ Minority racial groups have historically had disproportionately high rates of incarceration in the United States. African Americans and Hispanics made up 58% of all convicts in 2008,

²⁸ Graham, Karen. "The British School-to-Prison Pipeline." *Blackness in Britain*, 13 Sept. 2020, www.academia.edu/44078927/The_British_School_to_Prison_Pipeline.

²⁹ Sens, Emilia. "The School-to-Prison Pipeline: Early Education Inequality Shapes Incarceration in US and Brazil." *RioOnWatch*, 30 May 2017, rioonwatch.org/?p=35924.

according to figures from the National Association for the Advancement of Colored People (NAACP), although making up around one-quarter of the US population.³⁰

American Civil Liberties Union (ACLU)

The ACLU maintains that kids should be educated, not put in jail. They are attempting to change several rules and procedures that support the school to jail pipeline in the juvenile justice and public-school systems. In one state, up to 80% of children who are court-involved are without attorneys, and juvenile justice system participants frequently do not receive procedural rights in the courts.³¹ If minor offences result in probation violations, such as skipping class or defying teachers, students may be placed in secured detention. For that reason, the ACLU works in courts, legislatures, and communities to defend and maintain the personal freedoms and rights that every American is entitled to under the Constitution and the laws of the United States.

Department Of Justice (DOJ)

Too many students end up in the criminal justice system as a result of these school-imposed punishments, which is known as the "School-to-Prison Pipeline". Research has shown that zero-tolerance rules disproportionately affect children of color, a tendency that widens already large gaps. On September 27 and 28, 2010, the Civil Rights Office of the Department of Education and the Civil Rights Division of the Department of Justice jointly hosted a conference titled "Civil Rights and School Discipline: Addressing Disparities to Ensure Educational Opportunity" to examine this issue and discuss solutions. All children should have access to a pathway to success, not to prison, according to the techniques that academic and policy leaders, lawyers

³⁰ Sens, Emilia. "The School-to-Prison Pipeline: Early Education Inequality Shapes Incarceration in US and Brazil." *RioOnWatch*, 30 May 2017, riononwatch.org/?p=35924.

³¹ "School-to-Prison Pipeline." *American Civil Liberties Union*, 4 Apr. 2022, www.aclu.org/issues/juvenile-justice/juvenile-justice-school-prison-pipeline.

and law enforcement officials, investigators and educators, activists and researchers studied and devised.

NAACP National Association for the Advancement of Colored People

The NAACP works to combat racism, end injustice, and quickens change in important fields like criminal justice, health care, education, and the economy. They engage in civic participation, fight to institutionalize racial justice, and support organizations and policies that give priority to the needs of Black people, who are the group most negatively affected by racial prejudice. More specifically, The NAACP has consistently fought for and invested in the welfare of kids in the areas of employment policy, education policy, and the criminal justice system.

The NAACP promotes and affirms that school teachers and administrators—rather than sworn law enforcement officers—must have the primary responsibility for in-school discipline. The NAACP works with state education departments, school districts, and schools to eliminate expulsion, suspension, and in-school arrest disparities. In order to stop the "school to prison pipeline," they also want to guarantee that states would implement effective diversionary programs and school retention policies, as well as automatic sealing or expungement of juvenile records. Finally, they push for legislation that prohibits discrimination in the workplace, in local, state, or federal government, or by credit reporting organizations based on a person's juvenile past.³²

³² "Juvenile Justice." *NAACP*, 13 June 2022, naacp.org/resources/juvenile-justice-0.

Date	Description of event
May 27 1957	The U.S supreme court outlawed racial segregation in public schools
14 November – 15 December 1960	The 11 th session of the General Conference of the UN educational, scientific and cultural organization took place
July 2 1964	the Title VI of The Civil rights act of 1964 is signed
1980	the achievement gap between white students and students of cooler in the classroom has gotten greater.
1990	Zero tolerance policies and procedures become more widespread in the US
8 December 1995	high profile murder of a London teacher takes place due to in-school violence
1997	Police officers are assigned to school premises
27-28 September 2010	A conference titled "Civil Rights and School Discipline: Addressing Disparities to Ensure Educational Opportunity" was jointly organized by the Civil Rights Office of the Department of Education and the Civil Rights Division of the Department of Justice to investigate this problem and offer remedies.
2013	In contrast to 71% of black students, 86.6% of white students graduate from high school

2014	the US department of Education and Justice jointly issued recommendations to eliminate discrimination in school discipline
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RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS

Civil Rights and School Discipline: Addressing Disparities to Ensure Educational Opportunity conference

Many school districts around the nation have started implementing stringent zero-tolerance discipline rules in recent years, which inflict increasingly severe penalties for offenses that seem to be trivial. These disciplinary actions, including expulsions, alternative school placements, in-or out-of-school suspensions, and referrals to law enforcement and juvenile authorities, interfere with a student's education and reduce their prospects of success.

On September 27 and 28, 2010, the Civil Rights Office of the Department of Education and the Civil Rights Division of the Department of Justice jointly hosted a conference titled "Civil Rights and School Discipline: Addressing Disparities to Ensure Educational Opportunity" to examine this issue and discuss solutions. Researchers, educators, lawyers, academic leaders, and law enforcement personnel engaged in discussion and strategy development to ensure that all children have access to a road to success rather than incarceration.³³

Convention against discrimination in education (OHCHR)

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 14 November to 15 December 1960, at

³³ Courtesy of Assistant Attorney General Kristen Clarke, and Courtesy of Former Principal Deputy Assistant Attorney General Pamela S. Karlan. "Civil Rights and School Discipline." *The United States Department of Justice*, 7 Apr. 2017, www.justice.gov/archives/opa/blog/civil-rights-and-school-discipline.

its eleventh session Noting that the Universal Declaration of Human Rights declares that everyone has the right to education and upholds the concept of non-discrimination, declared that If different educational systems or institutions provide equal access to education, they should also offer teaching staff with the same level of training, school facilities, and equipment of the same caliber, as well as the chance to enroll in the same or comparable courses of study.

In addition, the institutions should be run in accordance with that objective and if the education provided complies with any standards that may be established or approved by the competent authorities, in particular for education of the same level, in order to ensure the inclusion of any group while also providing educational facilities in addition to those provided by the public authorities. In conclusion, the Convention reiterates that access to a quality education is a fundamental human right, not a luxury.

It draws attention to states' responsibilities to provide free and required education, outlaws all forms of discrimination, and encourages equal access to educational opportunities.³⁴

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Positive Behavioral Interventions and Supports (PBIS)

The Center on PBIS, funded by the Office of Elementary and Secondary Education (OESE) and the Office of Special Education Programs (OSEP) of the U.S. Department of Education, assists schools, districts, and states in developing the capacity of their systems for implementing a multi-tiered approach to social, emotional, and behavioral support. The overarching goal of PBIS is to raise the effectiveness, efficiency, and equity of educational institutions and other organizations. All kids, including those with disabilities and those from

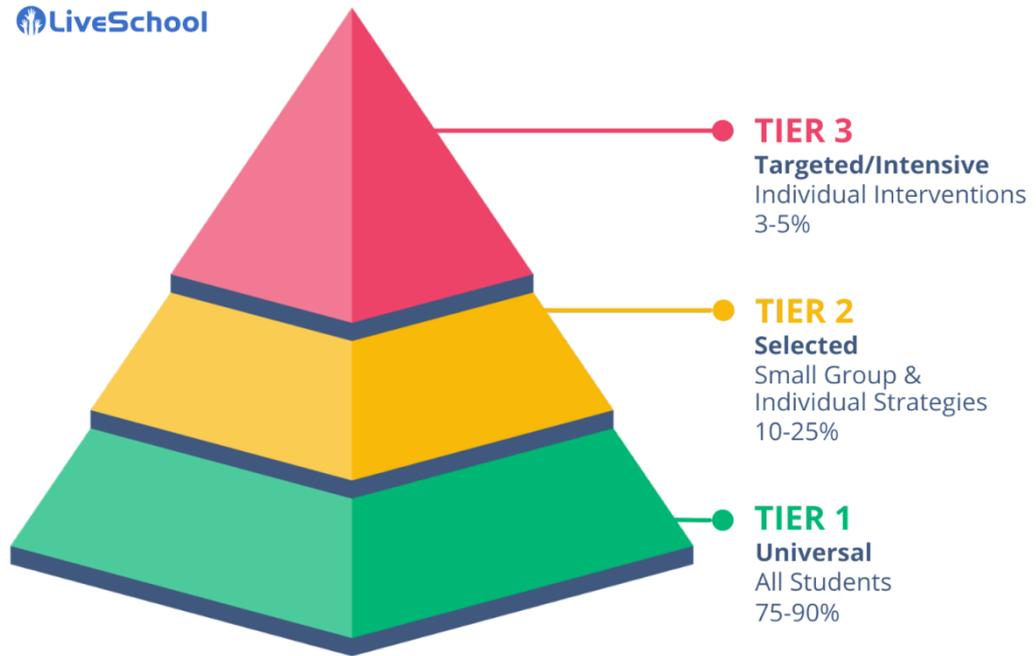
³⁴ "Convention against Discrimination in Education." *OHCHR*, www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-discrimination-education.

underrepresented groups, benefit from PBIS in terms of their social, emotional, and academic outcomes.

The evidence-based three-tiered framework of positive behavioral interventions and supports (PBIS) aims to enhance and integrate all of the data, processes, and behaviors that daily affect student outcomes. Schools where all kids succeed are produced by PBIS. ³⁵ PBIS integrates well with the local context when it is faithfully applied. To accomplish that, attention must be paid to issues of equity and culture. In order to establish high expectations for all students and prioritize desirable outcomes, leadership teams collaborate with members of the school or program community, including students, families, and community members. In order to ensure that everyone succeeds, centered equity also entails supporting educators' roles in implementation, modifying procedures to match each student's unique requirements, and decomposing data by student group. ³⁶

³⁵ *Center on PBIS*, www.pbis.org/.

³⁶ "What Is PBIS?" *Center on PBIS*, www.pbis.org/pbis/what-is-pbis.



³⁷Figure 2: PBIS strategies

School integration and segregation

One of the main objectives of the Civil Rights Movement was the extensive desegregation of public schools throughout the United States. The National Association for the Advancement of Colored People (NAACP) had planned to file local lawsuits in court since the 1930s, contending that segregation was unequal and that all children, regardless of race, were entitled to a top-notch education. These lawsuits were consolidated into the famous Supreme Court case *Brown v. Board of Education*, which prohibited school segregation in 1954. However, integration did not occur in the vast majority of separate schools for many years.

The Civil Rights History Project's interviewees describe a protracted, traumatic struggle that left many kids, teachers, and parents damaged. Achieving this ideal has never been straightforward or easy, despite the fact that *Brown v. Board of Education* and numerous other judicial rulings removed the formal hurdles that prevented African Americans from receiving an equal education. Parents, educators, and

³⁷ "10 PBIS Strategies in the Classroom." *Article*, www.whyliveschool.com/blog/pbis-strategies.

policymakers are still debating how to reduce the achievement gap between minority and white students.

For example, In Holmes County, Mississippi, Julia Matilda Burns talks about her experiences as a teacher, parent, and school board member. Her employment as a teacher was in jeopardy because of her associations with SNC members, whose husband was a prominent civil rights activist (SNCC). In 1965, a school in Tchula that her son and other African American students tried to integrate was destroyed twice by fire. The local white community established its own private white academy as part of a widespread South-wide scheme to avoid integration. She continued to work as a teacher in a public school and spoke about the challenges that contemporary African American children and young adults in rural areas experience in receiving an equal education.³⁸

US Department of Education and Justice

In order to prevent racial discrimination in the implementation of school discipline, the U.S. Departments of Education and Justice jointly issued recommendations to public schools in 2014. Large and ongoing racial inequities in suspensions, as well as an extensive body of evidence connecting exclusionary school discipline to detrimental downstream impacts, were some of the driving forces behind the Obama-era school discipline guidelines.

The 2014 guidelines emphasized that racial differences in disciplinary rates could be used as proof of illegal discrimination on their own. Although the Biden administration has hinted that updated guidelines on preventing racially discriminatory school discipline may be forthcoming, the Trump administration revoked the 2014 guidance in 2018. Administrators and educators may soon be considering how they may strive to lessen racial punishment inequalities if future guidelines are anything like those from the Obama administration.

³⁸ "School Segregation and Integration : Articles and Essays : Civil Rights History Project : Digital Collections : Library of Congress." *The Library of Congress*, www.loc.gov/collections/civil-rights-history-project/articles-and-essays/school-segregation-and-integration/.

Changes to state and district-level policies have also been made by policymakers in many communities in an effort to solve enduring racial inequities in the discipline. For instance, California outlawed suspensions for "willful defiance," a type of minor infraction that relies on teachers' interpretations of their students' actions. Prior studies showing that racial disparities are common for these kinds of relatively minor offenses served as the basis for these policies. It is important to mention two more school-level approaches that have not succeeded in reducing gaps.

First, studies show that disclosing to school administrators monthly data on disciplinary equity does not lessen racial gaps in disciplinary referrals. The presence of school resource officers (SROs, often known as sworn law enforcement officers attached to schools), according to research, dramatically expands racial gaps in suspension rates. After SROs were installed in schools, the use of exclusionary discipline increased, which is what causes this effect.³⁹

Title VI of the Civil Rights Act of 1964

The historic Civil Rights Act of 1964 included Title VI, which was put into effect. In programs and activities receiving federal funding, it is forbidden to discriminate on the basis of race, color, or national origin. The federal agency providing the assistance should either begin fund termination proceedings or submit the case to the Department of Justice for appropriate legal action if a receiver of federal aid is found to have discriminated and voluntary compliance cannot be attained. Individuals who are offended have two options: they can sue in federal court for the necessary remedies or they can lodge administrative complaints with the federal agency that distributes the recipient's payments. The law itself, Title VI, forbids discrimination with intent.

However, the majority of funding organizations have Title VI prohibitions that forbid recipient actions that can be construed as discriminating on the basis of race,

³⁹ Perera, Rachel M. "Reforming School Discipline: What Works to Reduce Racial Inequalities?" *Brookings*, Brookings, 13 Sept. 2022, www.brookings.edu/blog/brown-center-chalkboard/2022/09/12/reforming-school-discipline-what-works-to-reduce-racial-inequalities/.

color, or national origin. ⁴⁰ This prohibition covers willful discrimination and practices, standards, or systems of administration that seem neutral but actually have an adverse impact on people based on their race, color, or national origin. Unless a recipient can prove that they were required to fulfill a genuine non-discriminatory aim, policies and practices that have this effect must be changed. Even if there were such a justification, the practice would have to end if there were other options that would accomplish the same goals but excluding fewer minorities. ⁴¹



Figure 3: The Title of the Civil Rights Act of 1964⁴²

⁴⁰ "Title VI of the Civil Rights Act of 1964 42 U.S.C. § 2000d Et Seq.." *The United States Department of Justice*, 25 Apr. 2022, www.justice.gov/crt/fcs/TitleVI-Overview.

⁴¹ (OCR), Office for Civil Rights. "Civil Rights Requirements Title VI of the Civil Rights Act." *HHS.gov*, 10 Aug. 2021, www.hhs.gov/civil-rights/for-individuals/special-topics/needful-families/civil-rights-requirements/index.html.

⁴² "Civil Rights Act." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., www.britannica.com/event/Civil-Rights-Act-United-States-1964.

POSSIBLE SOLUTIONS

Increase Social Workers & Mental Health Professionals

There is an epidemic of mental health conditions and family problems in underprivileged communities across the country, which has a negative impact. There are hardly any skilled specialists available who can help these children in a world where many kids still go to school hungry. This implies that the children who most require these programmes are overlooked and cut off. It's no different from the way we use our prisons as mental health clinics for the underprivileged rather than meeting this need right away. Consider the circumstances of a young child who lives in a poor family.

Parents are already struggling to make ends meet when they must work multiple jobs and frequently lack access to affordable healthcare. Some highly important and frequent problems sometimes go ignored because people lack the time to visit a doctor or other healthcare provider. From mild depression to severe schizophrenia and everything in between, this is possible. Teachers are already expected to perform more tasks with fewer resources than most but diagnosing mental health issues goes far beyond what they are expected to do. The success of students will significantly increase if there are more mental health specialists in schools with lower socioeconomic levels.

Additionally, social workers are crucial for children who live in subpar situations at home. Despite the greatest efforts of most parents, there are times when there isn't enough food, time for homework, or even understanding. Being a parent is one of the most challenging jobs there is, therefore, a qualified social worker can intervene in a student's home life before it causes a problem at school. This is crucial since issues from the home will unavoidably affect the classroom. Therefore, ensuring that children live safe and secure lives at home is one of the best methods to ensure that they have a strong emotional foundation from which to learn.

Reduce Classroom Size

One can only expect teachers to manage a certain number of students. One of the most efficient methods to raise student outcomes is to reduce class size. When there are numerous instances of youngsters behaving out in a class of 38 pupils (or more!), we shouldn't be shocked. This can manifest in a wide range of ways, including physical violence and social withdrawal. Since kids who act out are frequently suspended or expelled, this is one of the main causes of the school-to-prison pipeline. Now, class size reduction is crucial. Children who receive poor education have a far higher chance of becoming incarcerated. Having smaller classes is one of the best strategies to prevent this from happening.

Practice Restorative Justice

In terms of criminal justice reform, restorative justice is such a crucial idea that far too few people are aware of it. It is based on a fundamentally different mindset than the one that says, "Rules are broken, so offenders must be punished." Instead, it adopts the viewpoint that all parties involved are persons, that there are responsible parties when violations occur, and that part of the perpetrator's current role is to assist in restoring whatever was lost as a result of the violation.

This can take many different forms, but it frequently involves a meeting between the individual who was hurt and the person who caused it. The reason this is crucial is that cleaning the system in a way that separates the harm-doer from the victim teaches no lesson. It is a nameless reaction to one's deeds. Because of this, the offender is unaware of the human cost of their behavior. By depending on restorative justice in schools, you give kids the chance to reflect on their behavior, not just in terms of stealing or damaging property but also more so in terms of the people they hurt. Positivity has been demonstrated by creating situations where empathy is the answer.

It's a technique that makes the relationship between the victim and the offender more human. It teaches kids that everything they do has an impact on other people and that their acts do not occur in a vacuum. Real change takes place as a result of this approach.

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