

School-to-Prison Pipeline: Impact of School Discipline on African American Students

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Abstract

This paper synthesized existing literature on school-to-prison pipeline in assessing the vulnerability of African American students to the criminalization of school discipline. It examined how disproportionality in school discipline has contributed to the over-representation of African American students in the juvenile justice system and why it partly explain the academic achievement gap between White and African American students. It sought to show that the cumulative obstacles placed before African American students by the multiplicity of factors such as institutionalized prejudice, poverty and the disproportionality in school discipline puts them at adis-advantage against white students and contend that a lasting solution will require digging beyond the surface by fixing the socioeconomic conditions that makes this unhealthy disparity to exist in the first place.

Keywords: school-to-prison pipeline, criminalization of school discipline, racial discipline gap, cumulative suspension, school-based referrals.

Introduction

Much of the body of knowledge on school-to-prison pipeline have focused on the criminalization of school discipline and the way it predisposes public school students to contact with the criminal justice system. An aspect of that literature revolves around the prevalence of disproportionality of school discipline and how its cumulative effect push minority students down the school-to-prison pipeline. The nexus between criminalization of school discipline and the increasing rate of public students' contact with the criminal justice system is however not supported by any evidence that there is an upsurge in juvenile delinquency. On the contrary the rate of juvenile crimes has been declining in recent years (Annie E. Casey Foundation, 2013). There is no empirical evidence either to support the higher frequency of school referral of minority students to law enforcement or that they run foul of school discipline code than White students. Instead, data show that students, whether White or African American or Hispanic violate school discipline in more or less the same proportion (Skiba, 2000; Skiba et al, 2002; Kewel Ramani et al, 2007; Gastic, 2016). The collateral consequences of the school-to-prison pipeline however extend beyond the over-representation of African American children in the juvenile justice system. Account must be taken of disparity in school discipline as a risk factor for the gap in the academic achievement between White students and African American students.

Purpose of study

This paper assess the causative factors that predisposes African American students to School-to-Prison pipeline but as well as the correlation between receiving serious school disciplinary measures and the increased chances of arrest or and convictions of African American students. But there are other far reaching consequences. One that is germane here is to probe the correlate between the disproportionality of school discipline and the academic achievement gap between White and African American students (Gregory, Skiba & Noguera, 2010). At the end, is made to suggest ameliorative measures to redress the disproportionality in school discipline in the light of its socioeconomic costs to the American society and the lack of wisdom in the penny wise, pound foolish policy.

Literature Review

Recent literature has established criminalization of school discipline as a risk factor that predisposes public school students, particularly African American students, to coming into contact with the criminal justice system and how it may partly explain the obvious gap in academic accomplishment between White and African American students.

Recent research also shows that students who have had cumulative suspension for school discipline infractions are more predisposed to contact with the criminal justice system either in terms of arrest or conviction than those who have not experienced suspension (Mowen & Brent, 2016). Using data obtained from the National Longitudinal Survey of Youth in conjunction with the longitudinal hierarchical generalized linear model (HGLM), a recent study (Mowen & Brent, 2016) showed that there is a correlation between consistent student insubordination to school discipline and the risk of arrest and the school-to-prison pipeline transition.

The criminalization of school discipline is an offshoot of the shift towards a punitive policy on crime which began in the 1970s, heralding an era of mass incarceration never seen before in human history and giving the United States the dubious record of having the largest number of prisoners in the world (Justice Policy Institute, 2008). It seemed inevitable given the prevailing mood of that milieu that the same policy would eventually be extended to other aspects of American life. That inevitability eventually happened on the back of a number of school ground crimes that commanded public attention, precipitating the introduction of zero tolerance school discipline policy in American schools (Casella, 2006).

The trigger was the series of school shootings and other school ground crimes in the 1990s which reached a crescendo with the Columbine High School shooting of 1999. In the aftermath, and riding on the back of public outcry for school safety, the zero tolerance policy on crime was extended to public schools to stem the tide of criminality in public schools. Consequently the COPS in Schools program was initiated in 1999 and funded through the Department of Justice Office of Community Policing Services (COPS). Henceforth, armed police officers became permanent fixtures of public schools landscape. The armed police presence in public schools hallways has however elicited unintended consequences. The most obvious downside is the overuse of the zero tolerance policy which originally was meant to deter serious offenses but was now being employed to address relatively minor infractions. The sudden upsurge in school-based referrals is a result of school authorities expanding the boundary and reporting less serious and minor crimes to law enforcement which could have been handled administratively without law enforcement involvement (National Council on Crime and Delinquency, 2009). Within four years, for instance, Denver recorded 71 percent increase in school-based referrals to law enforcement between 2000 and 2004 (Advancement Project, 2005). Out of the 5,289 referrals to the law enforcement by school authorities in New Jersey in 2014, about half resulted in criminal charges (Adely, 2015). What is obvious is the gradual abdication of school discipline responsibility by school authorities who broadened the scope of school offenses that can be referred to law enforcement and are only too glad to let law enforcement handle matters of school discipline (Kupchik, 2010).

In addition, the gradual introduction of criminal justice security protocol to public schools in the form of increased use of security measures on school ground such as controlled access, ID badges, introduction of surveillance systems, presence of armed policemen, drug sniffing dogs, drug test, random search for drugs and other such methods became the norm rather than the exception. Between 1999 and 2012, data showed greater use of controlled access to school grounds, security cameras, metal detectors, check-in areas, closed campus protocols, ID badges, and strict dress codes (Indicators of School Crime and Safety, 2014). During the same time frame, schools increasingly adopted criminal justice-based mechanisms including the use of surveillance systems, metal detectors, drug-sniffing dogs, random sweeps for contraband, drug tests, and school resource officers (Robers et al, 2015).

The real surprise about the continued implementation of the zero policy on crime in schools however is that while juvenile crime rates and juvenile detention are declining, the rate of out-of-school suspension has rapidly increased. Between 1995 and 2010, juvenile imprisonment rate fell by 41 percent. Conversely, out-of-school suspensions have doubled since 1970s and increased by more than 10 percent since 2000 (Annie E. Casey Foundation, 2013). For instance, the number of school suspensions nationwide was 1.7 million in 1974, representing 3.7 percent of all students. By 2006, it had almost doubled to more than 3.3 million which represented 6.8 percent of all students (Fabelo et al, 2011). The number of students suspended or expelled was higher for fall 2009 ninth-graders (54 per cent) who did not complete high school by 2013 than for fall 2009 ninth-graders who did complete high school by 2013 (17 percent). The report also indicated that more African American students (36 percent) than twice the number of Hispanic (21 percent), and almost thrice the number of White (14 percent), and six times more than Asian students (6 percent) had received suspension or expulsion from school (Indicators of School Crime and Safety: 2015).

In the 2011–12 school years, the number of public students who received in-school suspension was 3.4 million, while 3.2 million received out-of-school suspensions. This represent a drastic increase from the data from 2009–2010 school year during which 39 percent of public schools representing 32,300 schools imposed 433,800 serious disciplinary actions of which 74 percent were suspensions lasting five days or more, with 20 percent being transfers to specialized disciplinary schools and six percent involving expulsion (Indicators of School Crime and Safety: 2015).

A survey conducted in the 2011-2012 academic year, also showed that 3.5 million students out of the 49 million American students in school that year received in-school detention, 1.9 million received at least a day suspension, 1.6 million got suspended more than once, while 130,000 students were expelled from schools (U.S. Department of Education, 2014b). But it is believed that this is an under-estimation of the real problem given that less than 3,000 of the more than 98,000 schools across the country were sampled (Fuentes, 2014; U.S. Department of Education, 2013).

In the 2009-2010 school year, fighting and possession or use of firearm were responsible for the bulk of the serious disciplinary actions. Physical attacks or fights accounted for 265,100 out of the 433,800 serious disciplinary actions for that school year, while possession or use of firearm or explosive device accounted for 5,800 disciplinary actions. On the other hand, the total number of serious disciplinary actions in 2007-2008 was higher at 767,900 than the figures for 2009-2010, with the largest number of disciplinary actions taken for insubordination (327,100 actions) and physical attacks or fights (271,800). A smaller number of disciplinary actions were taken in response to firearm possession or its use (5,200 actions) than for other offenses covered in the survey (Indicators of School Crime and Safety: 2014).

While the criminogenic risk effect of school discipline is not in doubt, the pervasiveness of disproportionality of school discipline and its concomitant effects on minority students is a minus for the US educational sector. For reasons which have become increasingly obvious, African American students tend to experience more suspension and expulsion from public schools than students of other races (Mowen & Brent, 2016). In the 2011–12 school year, the percentage of African American students who received out-of-school suspensions was at least 15 percent higher than the percentages for students of any other racial/ethnic group.(Indicators of School Crime and Safety: 2015).

Data provided by the U.S. Department of Education Office for Civil Rights (2014) for the 2011-2012 school year showed that African American students were 18 percent of preschool enrollment but 48 percent of them received more than one out-of-school suspensions, whereas only 26 percent of White students received out-of-school suspensions out of the 43 percent White students who make up preschool enrollment . The rate of suspension and expulsion for African American students is three times higher than for White students. In the same vein, 16.4 percent of African American students were suspended or expelled from school compared to 4.6 percent for White students. While African American students make up 16 percent of student population, 32-42 percent were suspended or expelled, 27 percent were referred to law enforcement and 31 percent were arrested for school-related crimes. White students on the other hand represent 51 percent of student enrollment but 31-40 percent were suspended or expelled, 41 percent were referred to the police, while 39 percent were subjected to school-related arrest.

A consistent pattern of punishing African American students regularly for minor infractions like disrespect and disruption for which Whites may not be punished has also been reported. Indeed, it will require White students to commit more serious offenses such smoking, vandalism and use of alcohol to get punished (Skiba et al, 2002). Prejudice against African American students also manifest in differentials in punishment for the same offenses by African American and White students (KewelRamani et al, 2007). A study in Massachusetts showed that the racial discipline gap can manifest in the disproportionate punishment that minority students receive for physical fighting compared to White students (Gastic, 2016).

This led Skiba (2000) to conclude that the “disproportionate representation of African Americans in office referrals, suspension and expulsion is evidence of a pervasive and systematic bias that may well be inherent in the use of exclusionary discipline.”Given the above, it comes as no surprise that the rate of suspension and expulsion of African American students over the years is correlated by the high rate of residential placement for African American male juvenile offenders when compared to other racial categories. In 2010 alone, over 2.1 million adolescents under 18 years old were arrested.

Out of that number, the juvenile courts handled about 1.3 million delinquency cases of young offenders accused of criminal offenses (Hockenberry & Puzanchera, 2014). Minority youth disproportionately accounted for about 68 percent of juvenile offenders in 2011. African American juveniles were 40 percent, White accounted for 32 percent, while Hispanic youth were 23 percent. This is different from the racial demography of juvenile offender population in 2001 when White juvenile offenders in residential placement accounted for 40 percent, with African American youth at 39 percent and Hispanics at 18 percent.

In 2011, there were 196 juvenile offenders in placement out of every 100,000 US juveniles. A breakdown shows that out of every 100,000 African American juveniles in the United States, 521 were in placement, For the Hispanic youth, the rate was 202 per every 100,000 Hispanic youth in the US population, while for every 100,000 White juvenile in US population, 112 were in a residential facility. The irony is that many of these youth were held for minor offenses such as truancy, incorrigibility, running away and such mundane infractions that does not require incarceration in the first place (Annie E. Casey Foundation, 2011).

Labelling theory proponents point out that the psychological hurt that the exclusionary discipline and persistent prejudice students of color within the public school system have to cope with may lead to loss of self esteem and life changing decisions for many students. They unconsciously begin to accept the stereotype and act in defiance, thereby accepting the labelling, leading to a process of self-fulfilling prophecy. Significantly, many students that have experienced suspension tend to suffer more suspensions, repeat a class or get in contact with the criminal justice system (Department of Education, 2014). In addition, many students who have involved in juvenile incarceration tend to drop out of school. In the absence of any significant educational attainment, they are condemned to lifelong frustration as adults and may be drawn to a lifestyle that may lead to crime. (Bernburg & Krohn, 2003; Paternoster & Brame, 1997).

The disproportionality in school discipline between White and African American students have wider implications. Disproportionate school discipline is not only capable of pushing African Americans students faster towards the school-to-prison pipeline but it also partly but substantially explain the disparity in the academic achievement between minority students and White students. Since minority students receive disproportionate number of serious disciplinary measures they may suffer frustration, distraction and other consequences such as loss of instructional time and alienation from school activities that negatively affect their academic performance from which White students who commit the same offenses may seem to be immune (Gregory, Skiba & Noguera, 2010).

Juxtaposed against other considerable societal obstacles such as institutionalized racism that minority students have to surmount on daily basis, schooling is comparatively easier for White students who don't have to grapple with a complex structure of societal hindrances facing minority students (Gregory, Skiba & Noguera, 2010). Indeed, the notion of white privilege is therefore not just an unfair advantage that White people enjoy over minorities in the adult world, it's a vexatious practice that extend to the school system where White students are treated with kids' gloves, allowed to get away with just about anything, while minority students are treated as irritants who must be put down at the slightest opportunity.

It is also important to point out that majority of the students who received severe school disciplinary actions and who often end up in the school to prison pipelines tend to share a number of common characteristics. While they are mostly minority students, they largely tend to be vulnerable children and adolescents from poor socioeconomic and dysfunctional background. Such background jeopardizes the chances of many children from graduating from high school or even becoming successful in life as adults (Kirk & Sampson, 2013). In this category, African American children are at the bottom (39.6%), followed closely by American Indian/Native Alaskan children (36.8%), and Hispanic children (33.7%) (Children's Defense Fund, 2014; U.S. Department of Health and Human Services, 2013b).

Indeed, socioeconomic background of students has been found to be a significant factor in the rates of suspension and expulsion. More students of low socioeconomic status (29 per cent) in comparison to 17 percent of students of middle socioeconomic status had been suspended or expelled and both the students of low socioeconomic status and students of middle socioeconomic status were in greater number compared to the percentage of high socioeconomic status students (9 percent) who had ever been suspended or expelled (Mallett, 2016). Maltreated children who have suffered abuse and neglect, lesbians, gays and transgender are just as likely to be at the wrong end of the school-to-prison pipeline as well. (Mallett, 2016).

Victims of maltreatment including foster care children may develop learning disabilities and other psychological conditions that may hinder their ability to learn (Smithgall et al, 2004). The same goes for students with disabilities who are likely to get more referrals than other students. The disparity in punishment is just as harsh on minority children with disabilities and they are just as likely to bear the brunt of an insensitive school disciplinary system and suffer the harsh consequences of a truncated academic ambition (Redfield & Nance, 2016).

Recommendations

While there may be no easy solution to solving the prison-to-pipeline quagmire, it can be seen from the foregoing that the criminalization of school discipline has not made schools any safer than it was before. Instead, it served as a negative turning point to upend the future of millions of students who are largely minority students. It makes schooling unattractive and a dangerous place to be for many students. The hostile environment of public schools and its prison-like outlook with all the security paraphernalia of a penitentiary is also unhealthy. Armed police officers do not have to mingle continuously with students in the hallway the way correctional officers keep watch over offenders in prison unless there is an emergency that calls for their presence (Mallett, 2016). If they must be within school premises, they need to be inconspicuous and remain hidden at the back or near schools until they are needed. The environment created by their overly presence make public schools so unfriendly as to be unsuitable for an academic environment just as it also hamper effective learning. (American Psychological Association, 2008). In contrast, schools with lesser disciplinary procedure tend to be more conducive to learning than schools with rigid disciplinary code. (Mallett, 2016). The role of law enforcement in school safety cannot be over-emphasized in an age of violence and gun culture. No one is calling for the complete removal of the police from schools. But they need not hover around the students as if their presence is a natural part of normal school setting. Keeping them out of sight and locating them in a discreet section of the school ground like the building next door or at the back of the school is probably not a bad idea. This will be therapeutic to the trauma that their ubiquity has inflicted on students over the years.

It is about time too that the range of offenses that law enforcement can be called on to intervene be narrowed to serious crimes that threaten the lives of others. Law enforcement should be the option of last resort. School authorities cannot continue to abdicate their primary responsibility for school discipline and law enforcement should not be the first line of intervention when school rules are breached. Why should a student doing a bike trick in a school during dismissal be referred to law enforcement and be charged with disorderly misconduct? Or one who playfully tampered with an elevator whose alarm system went off end up being charged with criminal mischief. Why should a student who came to school while on suspension be hit with criminal trespassing? (Adely, 2015). These are infractions that could have been handled administratively and not have to result in criminal records that young students have to deal with for the rest of their lives.

Conclusion

Criminalization of school discipline is a narrow minded policy that has caused more harm than good to the society and the need for an urgent review of the policy cannot be over-emphasized. Society shoots itself in the leg when it pursue a school disciplinary system that unwittingly funnel a large number of its young people, particularly minority students, into the criminal justice system through the school-to-prison pipeline and often an inevitable adult criminal life. The economic costs associated with the inherently contradictory policy run into millions of taxpayers dollars which could have been used for to fund other valuable projects. Here is a policy that is supposed to reduce crime among students but on the long run pushes many of them towards a lifetime career of crime. The costs of locking up a juvenile offender ranges from \$24 in Wyoming to \$726 in Connecticut, according to the American Correctional Association estimates (Prison Culture, 2010), while it cost about \$88,000 to care for a juvenile in residential placement for a year.

In 2008 alone, states spent a total of \$5 billion dollars on needless incarceration of non-violent juvenile offenders. Yet it costs far less to educate a child annually than to incarcerate him for the same length of time (Annie E. Casey Foundation, 2011). The cost to society is however not just economic. The social cost is enormous. But more poignantly for the African American community is the disproportionate loss of many youth to the criminal justice system for no justifiable reason other than the color of their skin. The fate of the burgeoning African American underclass is unquestionably tied to lack of educational attainment by a growing army of youth in a society that sacrificed their future at the altar of age-long prejudice. This is the fate of scores of African American youth whose hope for a prosperous future is trapped in a vicious cycle of joblessness and imprisonment.

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