

Dismantling the School-to-Prison Pipeline for Students of Color and Students with Disabilities

Tuesday, June 8, 2021

Part of the RACE + DISABILITY webinar series.

For more info: www.DisabilityInclusionPgh.org



THE HEINZ ENDOWMENTS
HOWARD HEINZ ENDOWMENT • VIRA I. HEINZ ENDOWMENT



MODERATOR + PRESENTERS

TIFFANY SIZEMORE, Esq., (she/her), Assistant Clinical Professor, Duquesne University School of Law

TAMMY HUGHES, Ph.D., ABPP, (she/her), Professor of School Psychology at Duquesne University.

JAMES HUGULEY, Ph.D., (he/him), Interim Director, Center on Race and Social Problems and Assistant Professor, University of Pittsburgh School of Social Work.

CHERYL KLEIMAN, Esq, (she/her), Civil Rights Attorney in the Pittsburgh office of the Education Law Center.

GHADAH MAKOSHI, MBA, (she/her), Community Advocate, ACLU of Pennsylvania

How We Got Here: Historical Roots Of the School to Prison Pipeline

James P. Huguley, Ed.D

University of Pittsburgh

Center on Race and Social Problems

June 8, 2021



University of
Pittsburgh | School of
Social Work
Center on Race and Social Problems



The Deceptive Logic of Punitive Discipline



Exclusionary Discipline: A Failing Approach

For suspended students

- lower academic achievement, more anti-social behaviors, more juvenile justice system exposure
- Greater use and worse outcomes among Black and Low Income students

For non-suspended students

- Negative spillover effects
- Overall declines in school performance across all students
- Evidence is overwhelming that this is a failed approach to managing student behavior

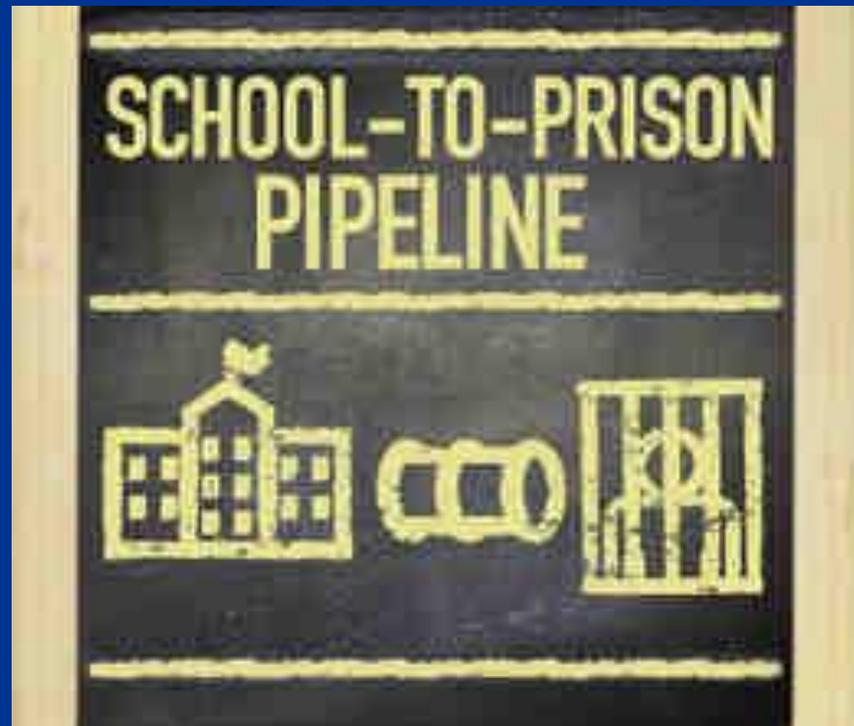


Phase 1: What is the School to Prison Pipeline?

- A set of school discipline policies and practices mirroring war-on-drug policies
- Creates a “pipeline” between school discipline and juvenile justice contact
- Disproportionately affects **Black, Latino, LGBTQ,** and **special need students**

Three fundamental contributors:

1. Increased police presence in schools
2. Zero-tolerance behavioral policies
3. Racial biases in school discipline



Roots of the School-to-Prison Pipeline

Increased Police Presence

- Between 1979 and 2009, the rate of police officers in public schools has increased from 1% to 68% of schools
- Offenses that were previously dealt with by educators are often now dealt with by law enforcement

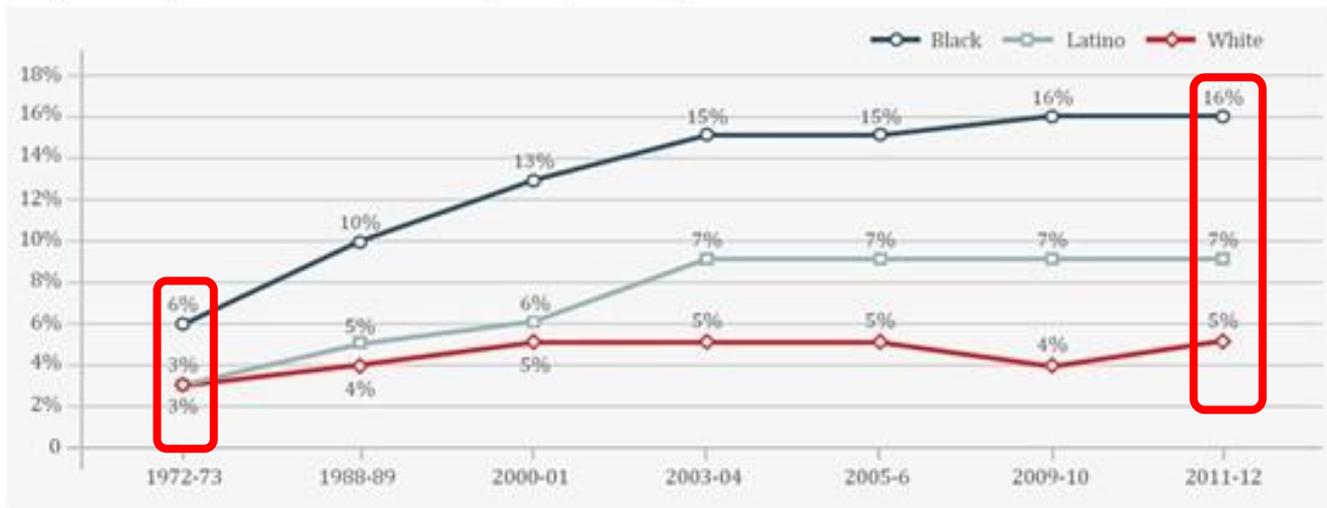


Roots of the School-to-Prison Pipeline

Zero Tolerance Policies

- In the 1980s, schools began to implement zero-tolerance disciplinary policies that were fashioned after the war on drugs era criminal justice policies
- School suspension rates have doubled nationally since 1970's
- 25% of all public high school students have been suspended in their lifetime

Figure 2. Suspension Rates over Time by Race/Ethnicity, K-12⁹



Data Source: U.S. Department of Education, Office for Civil Rights

Black Students with Disabilities

Students with disabilities

- 12.8% of students in US
- 24.5% of all suspensions
- Risk Ratio 1.9 to 1

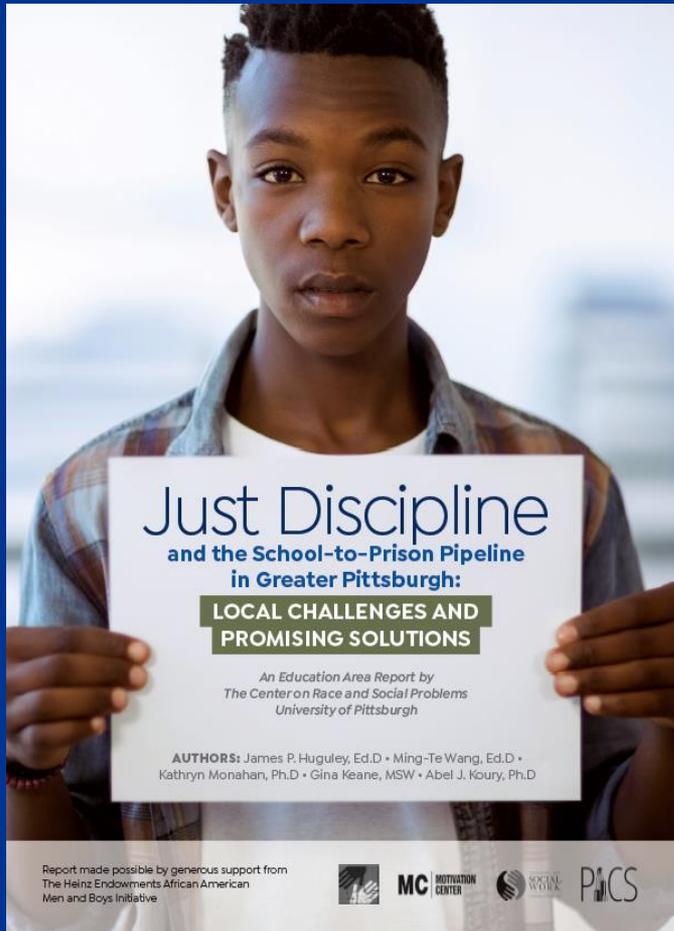
Black students

- 15.5% of all students
- 26% of all suspensions
- 1.67 to 1

Black students with disabilities

- 2.4% of all students in the United States
- Make up 8.6% of all suspensions
- 3.63 to 1





The Double Quandary of Discipline in Greater Pittsburgh

- Suspension rates are high in urban districts (as many as 60 suspensions per 100 students)
- Disparity rates are exceedingly high in suburban districts (as much as 8 to 1)
- Black students in Greater Pittsburgh are suspended at over 7 times the rate of other students

Thank You!

Huguley@pitt.edu

@drjayhuguley



National Student Arrest Rates Comparison

Student Arrest Rates

- Pennsylvania had the third highest student arrest rate in the nation and saw a 24% increase in student arrests between 2013-2014 and 2015-2016

Compared to the rest of the country, Pennsylvania ranks:

3rd for Latinx
girls student arrests

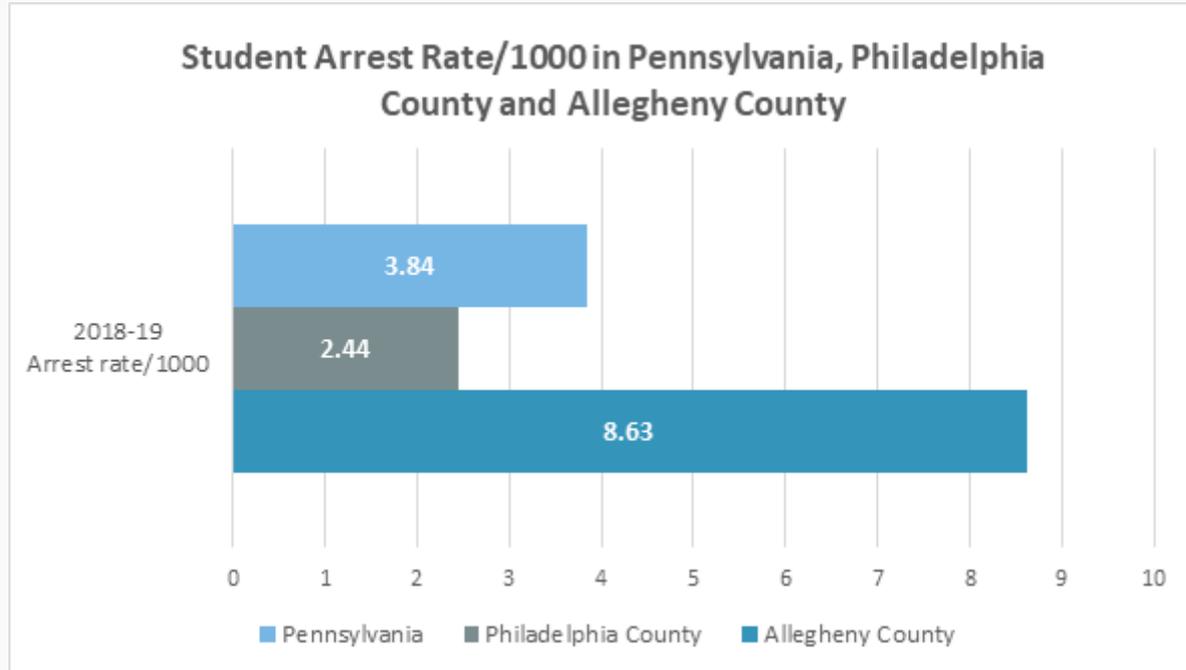
2nd for Latinx
student arrests

2nd for Black
student arrests

3rd for disabled
student arrests

Public School Student Arrest Rates per 1000 (2018-19)

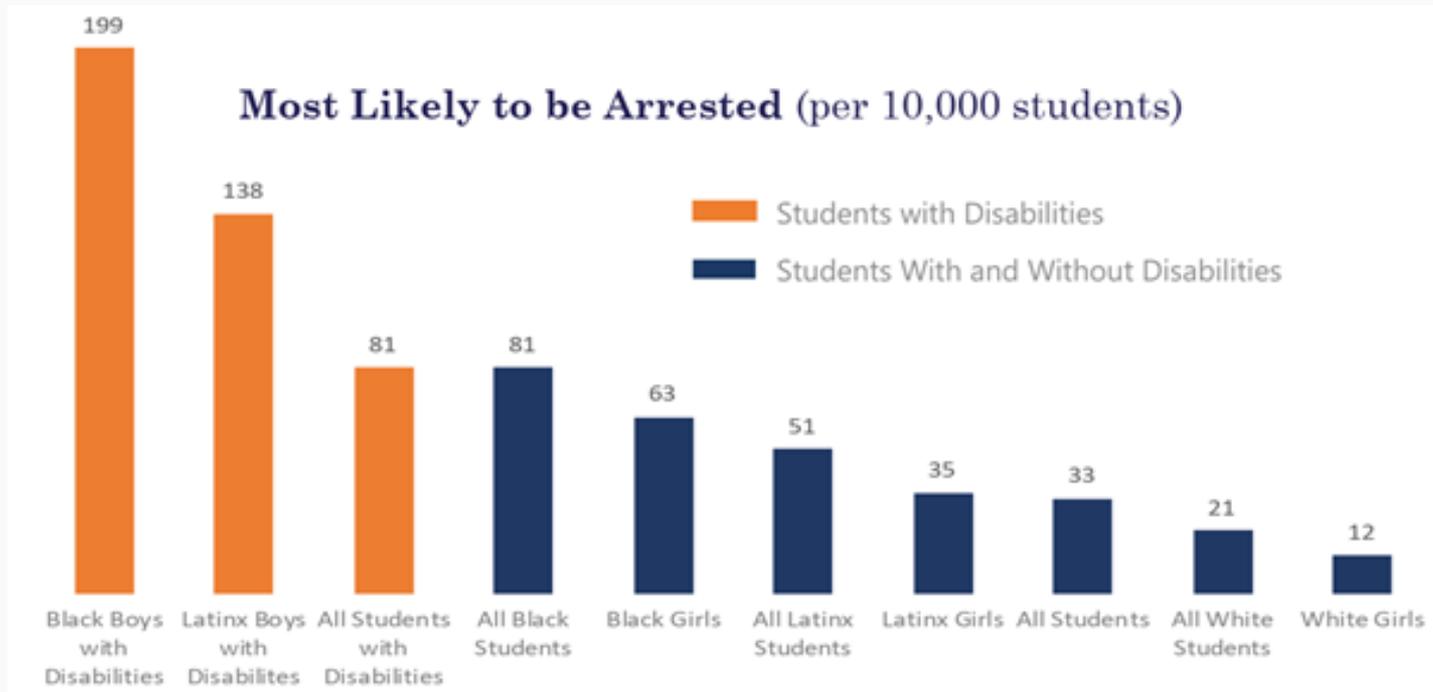
- **Pennsylvania State: 3757**
 - **Arrest Rate: 3.84/1000**
- **Philadelphia County: 187**
 - **Arrest Rate: 2.44/1000**
- **Allegheny County: 726**
 - **Arrest Rate: 8.63/1000**



Data includes only school based arrests of 5th-12th grade public school students

Most Likely to be Arrested in Pennsylvania

- Black students arrested at higher rates than their peers
- Students with disabilities are arrested at higher rates than students without disabilities
- **Most likely to be arrested: Black boys with disabilities**



Allegheny County Comparative Arrest Rate of Black and White Students (2018-19)

2018-19 School District Name	% White Student Enrollment	Arrest of White students	Arrest Rate of White students per 1000	% Black Student Enrollment	Arrest of Black students	Arrest Rate of Black students per 1000	Risk Ratio (Black/White arrest rates)
Allegheny County	72.27%	216	3.50	21.77%	497	27.20	7.8
South Allegheny SD	91.48%	7	7.95	8.62%	9	108.43	13.6
Baldwin-Whitehall SD	77.25%	11	5.29	5.69%	14	91.50	17.3
Sto-Rox SD	30.58%	3	13.76	54.56%	27	69.41	5.0
Moon Area SD	78.82%	9	4.77	6.27%	9	60.00	12.6
North Hills SD	86.67%	3	1.74	4.71%	7	56.00	32.2
Pittsburgh Public SD	33.45%	56	11.77	52.06%	332	48.28	4.1
West Jefferson SD	91.94%	6	3.53	3.90%	3	41.67	11.8
Chartiers Valley SD	85.08%	11	6.63	5.13%	3	30.00	4.5
Steel Valley SD	52.03%	0	0.00	38.93%	9	26.79	*
North Allegheny SD	79.07%	11	2.58	2.60%	3	21.43	8.3
Shaler SD	91.51%	19	7.97	3.76%	2	20.41	2.6
West Mifflin Area SD	61.21%	5	4.49	26.65%	8	16.49	3.7
Clairton SD	19.61%	1	11.11	67.10%	5	16.23	1.5
McKeesport Area SD	44.82%	2	2.16	43.70%	11	12.20	5.6
Penn Hills SD	27.46%	0	0.00	65.06%	16	11.28	*
East Allegheny SD	57.91%	2	3.48	29.71%	2	6.78	1.9
Gateway SD	56.07%	0	0.00	25.32%	3	5.64	*
Woodland Hills SD	26.33%	0	0.00	62.16%	6	4.85	*

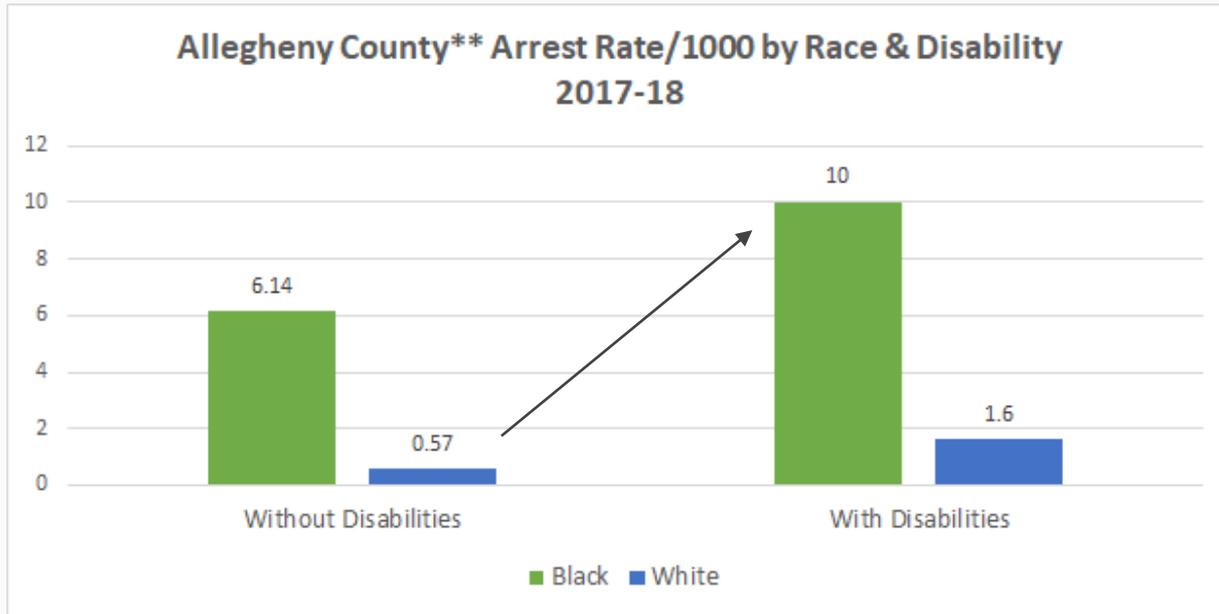
Black students arrested at high rates compared to peers. 4 out of 5 of the districts with the highest arrest rates of Black students in schools with both large and small populations of Black students.

Sorted by highest arrest rate of Black students

* Risk ratio comparison could not be determined as there were 0 arrests of White students.

Arrest Rate of Students By Race & Disability (IDEA) 2017-18

- Nationally Students with disabilities arrested at nearly 3 times the rate of students without disabilities.
- Protections for IDEA* students when it comes to suspensions, **but not arrests**.



- ★ Black students both with and without disabilities are arrested at much higher rates than their White peers.
- ★ Black students with a disability are arrested at **nearly 18 times** the rate of White students without a disability.

*IDEA: Individuals with Disabilities Education Act

**Pittsburgh Public Schools reported ZERO arrests in the 2017-18 Civil Rights Data Collection so were excluded

Summary Citations - Collateral Consequences

- Summary Citations look similar to a traffic ticket and are issued for minor infractions, usually common youth behavior often categorized as “**disorderly conduct**” (e.g. excessive noise or obscene gestures/language).
- Although it seems like a minor issue, they are actually harmful and can have long term consequences on youth. For starters, they are **ADULT** criminal offenses. There is no distinction between juveniles or adults when it comes to citations as there are in arrests.
- Summary citations may result in fines, which can place an unnecessary burden on families, who must pay these fines.
- **Failure to pay these fines can result in a referral to juvenile justice for a “failure to comply” charge.** Essentially punishing poverty.

- A student receiving a summary citation **may be tried in absentia**: If the student fails to appear the trial may be conducted without their presence.
- Summary convictions are not automatically expunged. And a record of the summary offense conviction cannot be expunged until 6 months after turning 18, *only if all conditions have been met*. So, if, like many youth, at 17 or 18 they apply for a job, college or military application, **and they are asked if they have ever been convicted of a crime, they must say yes.**

Who is impacted?

- Pittsburgh: 88% of citations issued by PPS police are to Black youth even though they account for 53% of the students.
- Allegheny County: Black youth are **10 times** more likely than White youth to be referred to juvenile justice for failure to pay a fine resulting from a summary citation

A TALE OF TWO SCHOOLS

Carlos has a heated argument with his parents before leaving for school, so he's running late. Let's see the difference that restorative policies and practices can make.

RESTORATIVE PRACTICES-BASED EDUCATION SYSTEM

Carlos arrives at school.



Teachers and administrators welcome him and his fellow students as they enter.



His Teacher waits until after class to speak with Carlos to learn more, and sets up a meeting with his school counselor.

Carlos is late to first period class.

Student peer mediators and support staff intervene, have the students sit down together, and de-escalate the situation.

Carlos and the other student agree to help clean the cafeteria during a free period. Carlos meets with his counselor and parents after school to help resolve the conflict at home.

Later that afternoon...

ZERO-TOLERANCE EDUCATION SYSTEM



He is greeted by metal detectors and a police search.



His teacher scolds him in front of the class. Carlos talks back, and is given a detention.

A school police officer detains and arrests both students.

Carlos is held in a juvenile detention facility all afternoon, missing school. He now has an arrest record and is facing suspension.



PIPELINE PROBLEMS

15 year-old Jonathan is a 10th grader at a public school. He has had an IEP since 7th grade for ADHD. Primary behavioral manifestations of his IEP include: having his cell phone out in class when he shouldn't, occasional talking back or denial of misbehaviors, and cutting classes to roam the hallways. His grades are generally A's & B's, with the occasional C.

In November 2018, Jonathan is in the hallway and a teacher who has never taught or worked with Jonathan sees him in the hallway. She asks for his hall pass. He does not respond and keeps walking. She asks again and he yells at her to leave him alone. A few weeks later, Jonathan's mom gets a letter from probation saying that he is being charged with disorderly conduct, a misdemeanor crime. Jonathan has never been in trouble with law enforcement or juvenile probation. The probation officer tells mom that if Jonathan signs an agreement to stay out of trouble for 6 months and do community service then he will never have to go to court. Jonathan signs the agreement.

5 months later, in April 2019, Jonathan and two friends come to the school on a Saturday afternoon and joyride around the school's property on the school mascot (an old golf cart). Jonathan was not the driver of the golf cart at any point. Upon viewing the security footage, the school charges Jonathan and his friends with felony burglary and felony theft. In addition, his initial agreement from the hallway incident is revoked and he is charged with disorderly conduct matter in court as well.

“It should not be controversial in light of these facts to say that racial disproportionality does not develop by accident or coincidence - it is at least partially the result of institutionalized racism and implicit (or explicit) biases.”



- David Simson

Exclusion, Punishment, Racism and Our Schools: A Critical Race Theory Perspective on School Discipline

Next steps

Continue the conversation about the School to Prison Pipeline: Small group discussion

Friday, June 11, 2021, 12-2pm

Registration link is in the chat.

More information about the series:

www.DisabilityInclusionPgh.org, under RACE + DISABILITY



THE HEINZ ENDOWMENTS
HOWARD HEINZ ENDOWMENT • VIRA I. HEINZ ENDOWMENT

