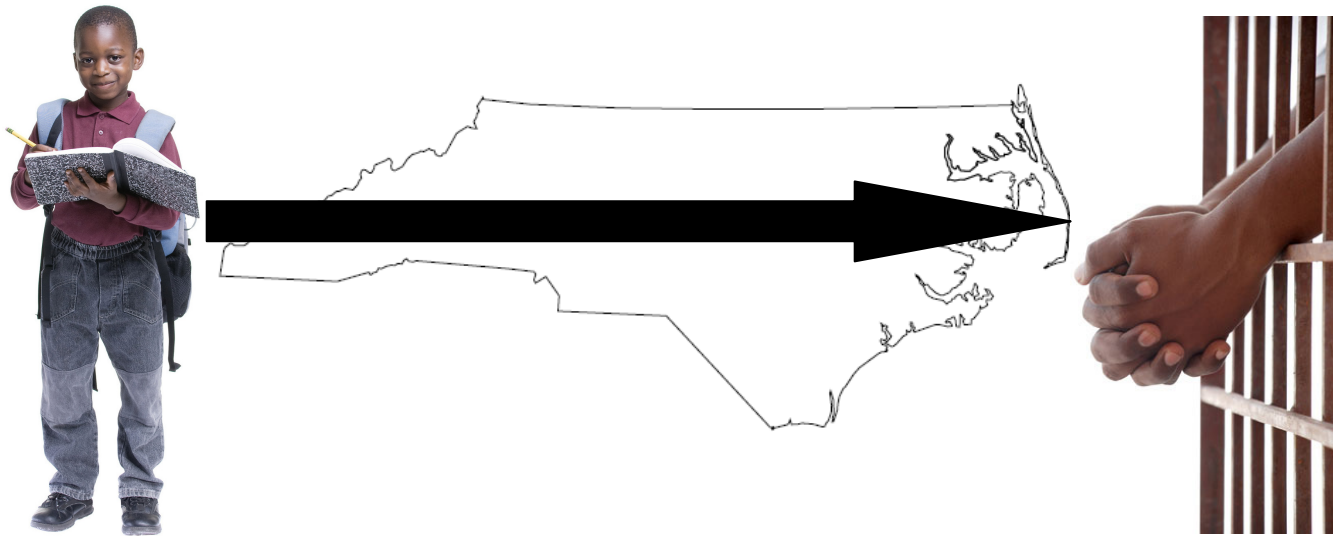


The School-to-Prison Pipeline in North Carolina



NC Juvenile Services Association
Spring Conference
March 31, 2011

Agenda

- Introductions
- Reflective activities
- School-to-prison pipeline
 - What's it all about?
 - How bad is it in NC?
 - What are students' rights who are in it?
 - What can be done about it?
- Working for students and with schools
- Group discussion/planning

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- Craven Co., NC and Prince George's Co., MD public schools
- Undergrad at the Southern Part of Heaven
- Former Program Director at Public Allies NC
- Former Program Director at Warner Foundation
- Former Director of Community Partnerships & Learning at Southern Rural Development Initiative
- Current Coordinator of Education Justice Alliance

Rukiya Dillahunt

- Charleston Co., SC public schools
- Undergrad at West Virginia State University
- Former special education teacher
- Former assistant principal at alternative high school
- Former Wake County NCAE president
- Involved in Black Workers for Justice
- Currently Chair of Parent Advocacy Work Group

Jason Langberg

- Harris County, TX and Buncombe Co., NC public schools
- Undergrad at UNC-Chapel Hill
- Former Development Association at Advocates for Children & Youth (Baltimore)
- Former Program Leader and Head Counselor at Ramapo for Children (NY)
- Law school at Boston College
- Currently Equal Justice Works Fellow at Advocates for Children's Services

Pair Share

- Reflect on a time when you felt supported as a student.
 - Who supported you?
 - How did they support you?
- Reflect on a time when you felt frustrated or disempowered as a student.
 - What was the situation?
 - Did anyone advocate for you?

Standing on the Line

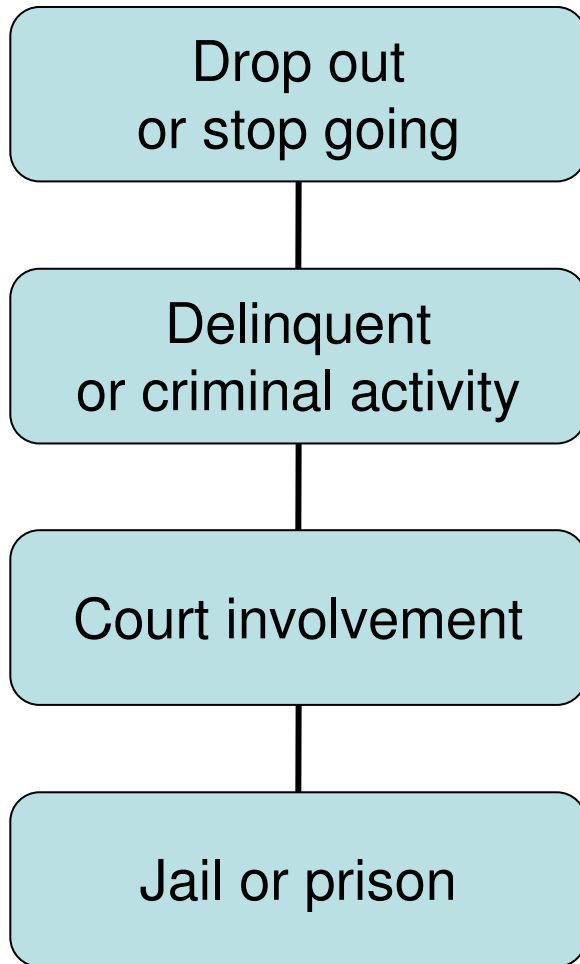
- Male
- Disability
- Black
- Academic failure
- Poverty

Definition of STPP

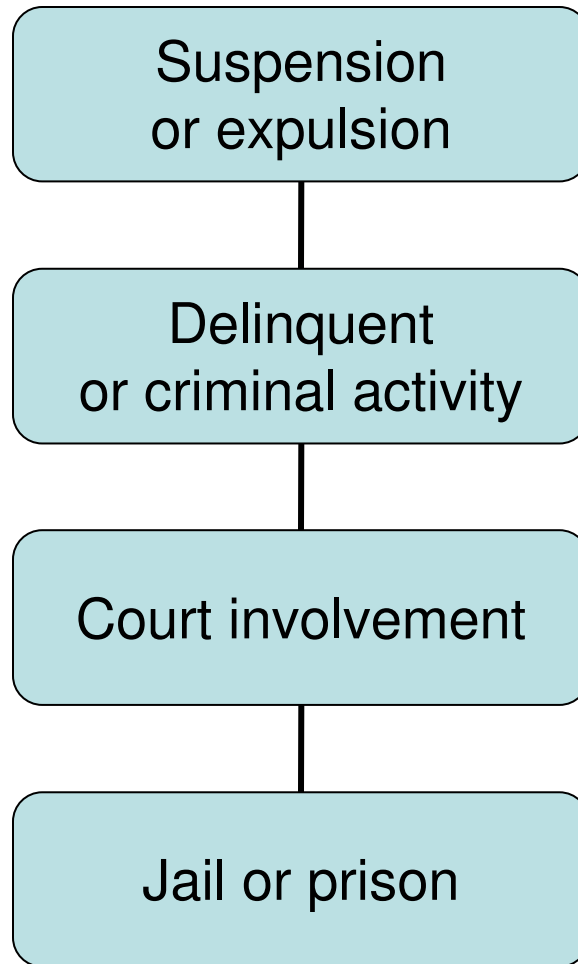
- The school-to-prison pipeline (STPP) is a system of laws, policies, and practices that pushes students out of schools and into the juvenile and criminal justice systems

STPP Process

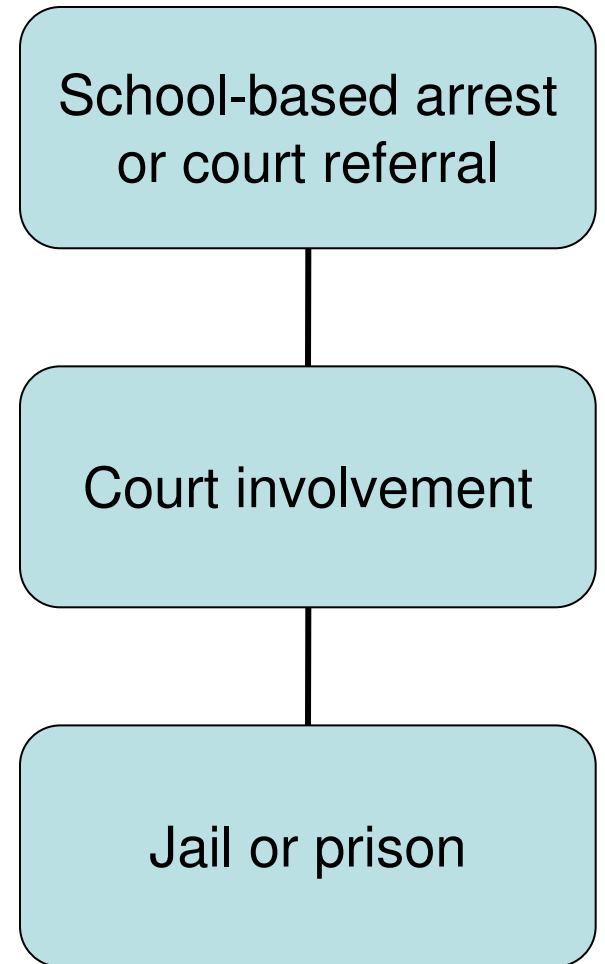
Indirect



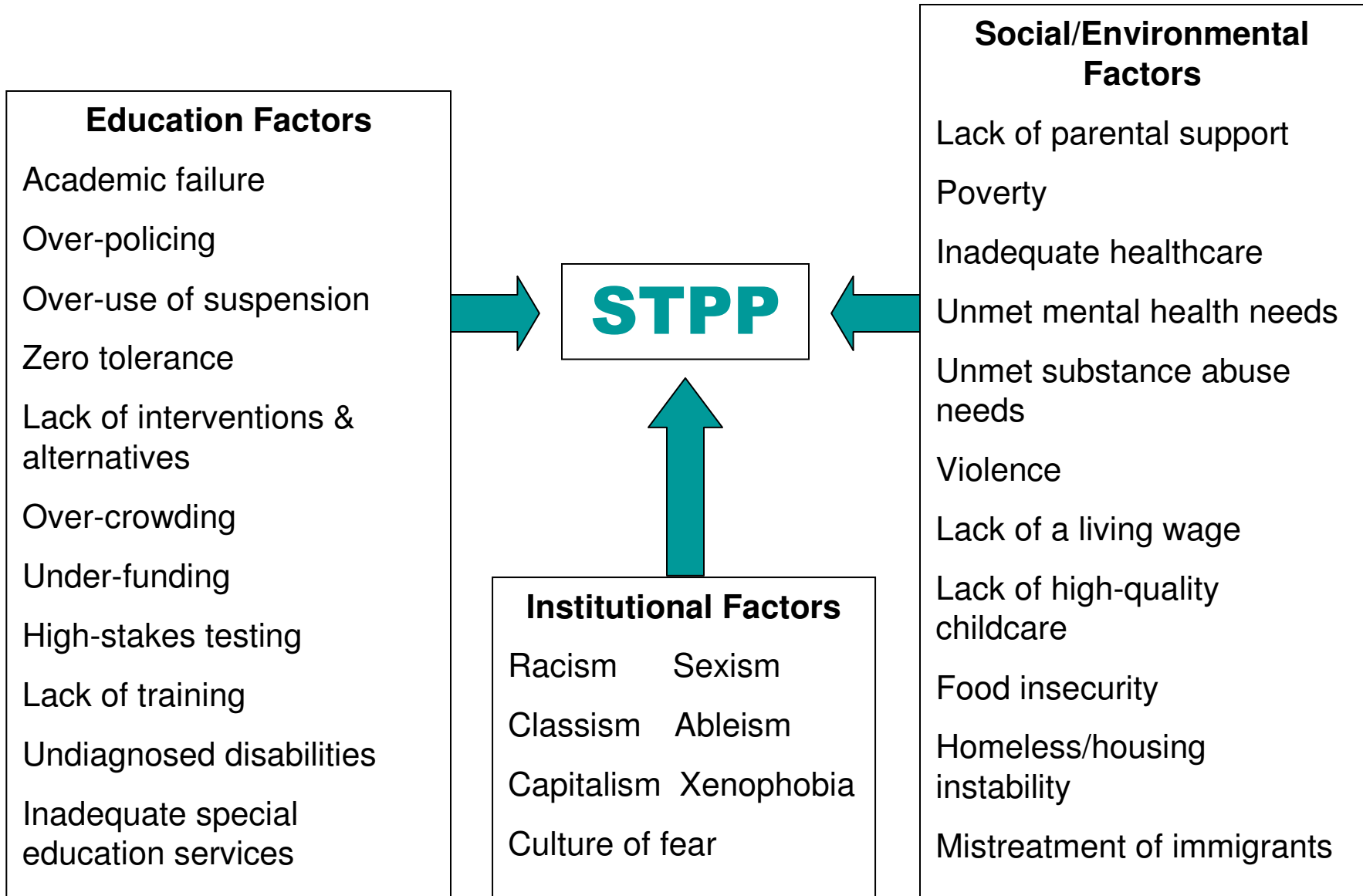
Indirect



Direct



STPP Causes



Academic Failure

- Students in grades 3-8 not proficient in math: 124,173 (18.2%)
- Students in grades 3-8 not proficient in reading: 203,676 (29.9%)
- Students in grades 9-12 not proficient in all EOC exams: 146,490 (19.3%)
- Dropouts: 16,804 (3.8%)
- Students who didn't graduate high school w/in 4 years: 28,990 (25.8%)

Racial Achievement Gaps

Race	% Proficient in reading & math on EOGs	% Proficient in all EOCs	4-Yr Cohort Graduation Rate
All	66.3	80.7	74.2
Am. Indian	52.6	71.7	68.0
Asian	77.3	88.0	85.2
Black	47.0	67.0	66.9
Hispanic	51.5	74.1	61.4
Multi-Racial	67.8	83.3	71.1
White	78.7	88.5	79.6

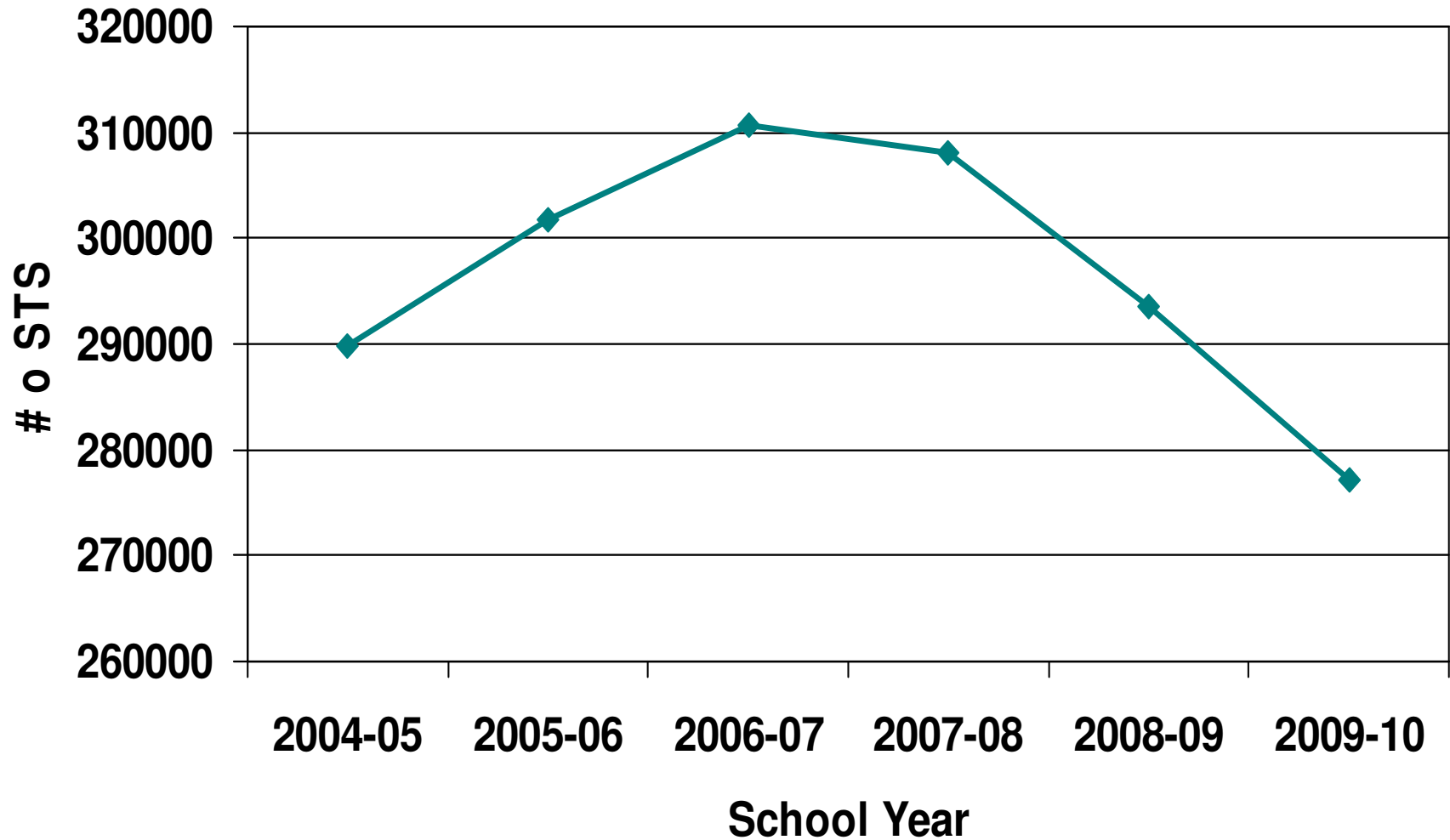
Other Achievement Gaps

Category	% Proficient in Reading & Math on EOGs	% Proficient on all EOCs
Male	64.2	80.1
Female	68.5	81.3
Economically Disadvantaged	52.1	70.9
Not Economically Disadvantaged	82.0	87.9
Limited English Proficient	33.9	55.8
Not Limited English Proficient	68.8	81.7
Students with Disabilities	34.4	54.9
Non-Disabled Students	71.0	83.1

Short-Term Suspension (STS)

- Definition: 1 to 10 school days
- # of STS in 09-10: 277,206
- # of students in 09-10: 144,356
- Avg. length: 3 school days

STS – Change Over Time



STS – District Comparison

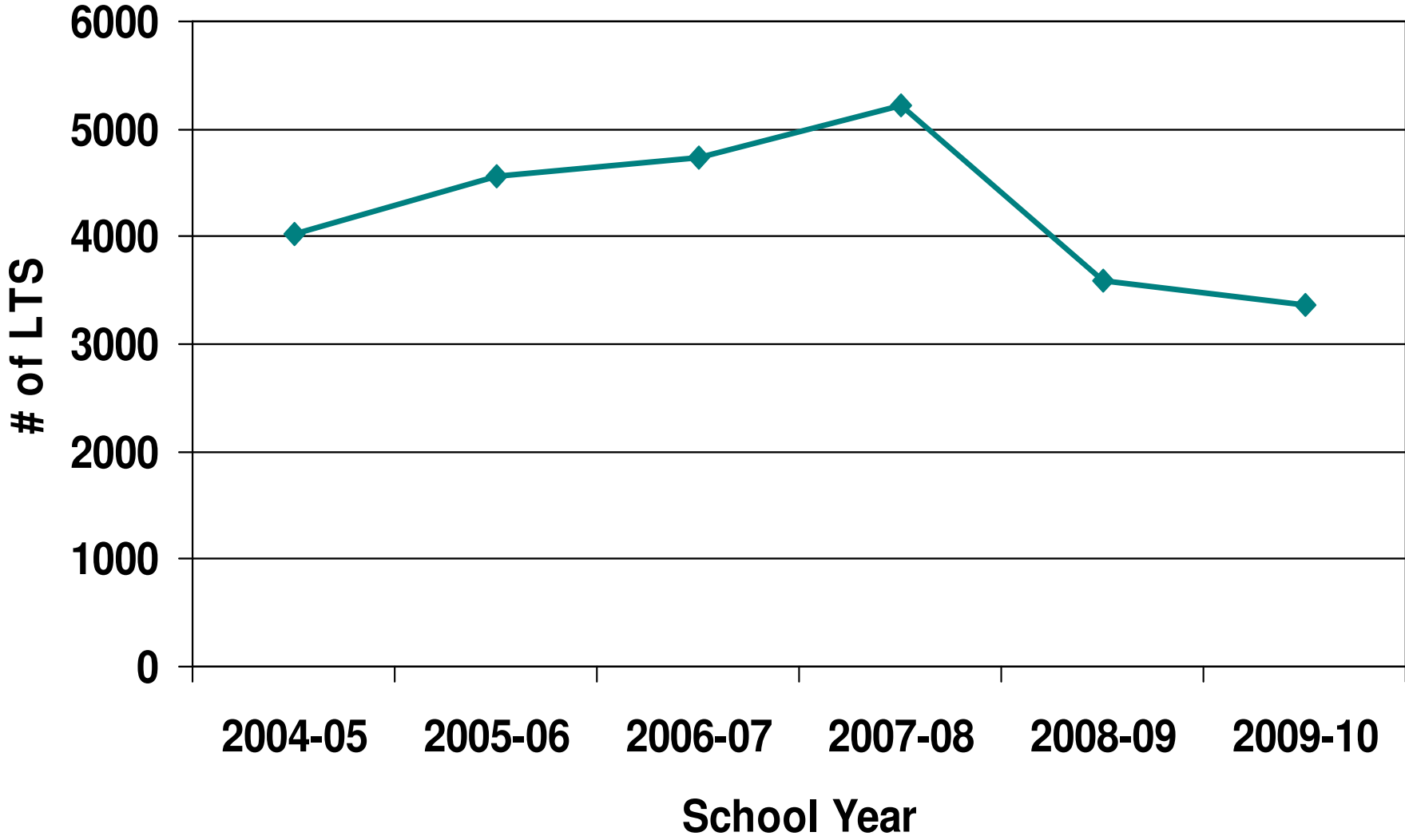
Districts w/ Most STS	# of STS
Charlotte-Meck.	33,589
Wake	19,392
Forsyth	12,135
Cumberland	10,935
Guilford	10,881
Robeson	9,625
Pitt	9,104
Wayne	6,890
Gaston	6,684
Durham	6,492

Districts w/ Highest Rate of STS	Rate of STS (per 100)
Northampton	54.4
Halifax	42.8
Robeson	41.7
Vance	41.6
Wilson	41.3
Pitt	40.2
Scotland	39.3
Lenoir	38.4
Edgecombe	38.4
Warren	38.3

Long-Term Suspension (LTS)

- Definition: 11 school days-rest of year
- # of LTS in 09-10: 3,368
- # of students in 09-10: 3,270
- Avg. length: 63 school days

LTS – Change Over Time



LTS – District Comparison

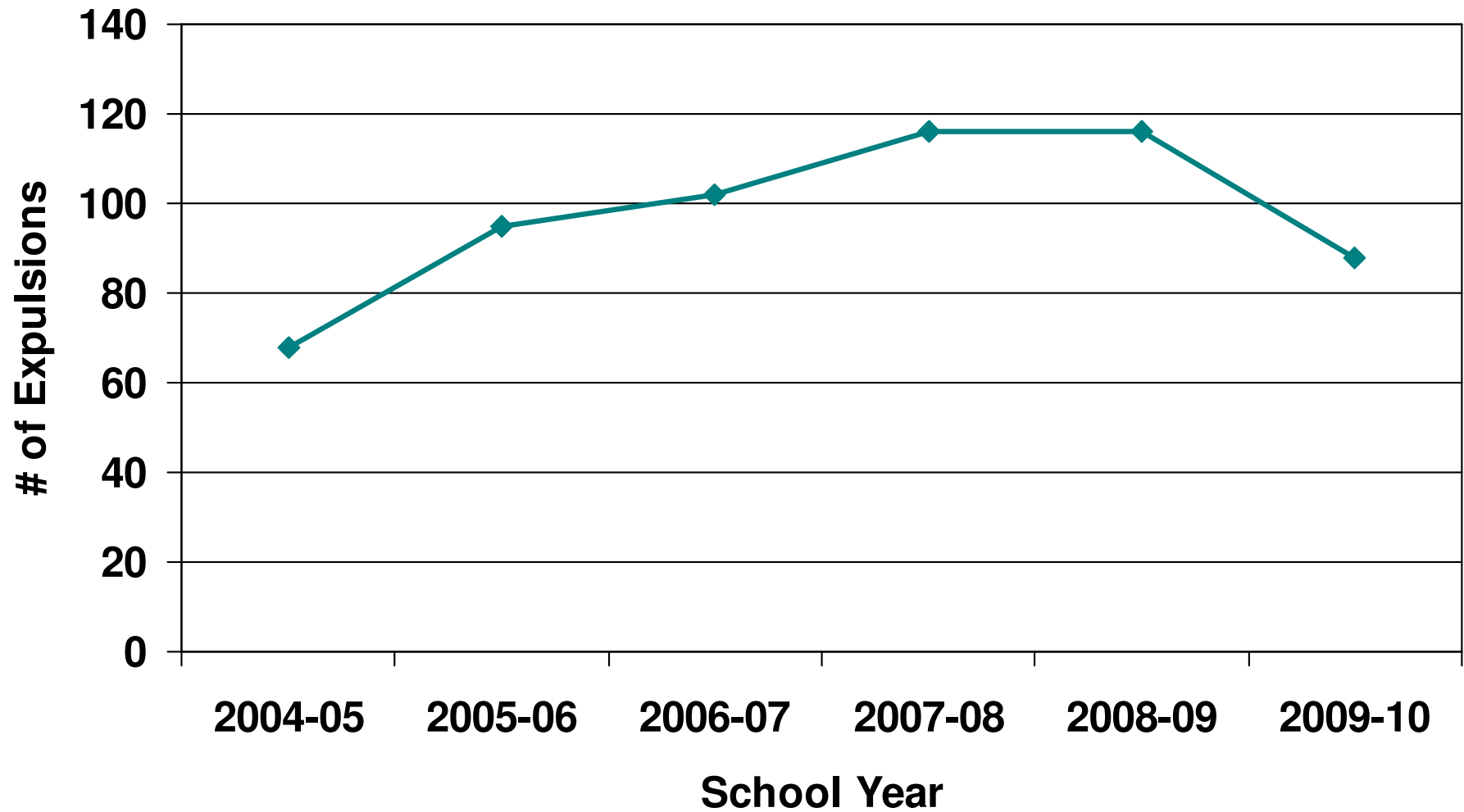
Districts w/ Most LTS	# of LTS
Wake	837
Hoke	235
Cabarrus	218
Pitt	173
Durham	142
Cumberland	106
Charlotte-Meck.	96
Guilford	93
Union	88
Johnston	78

Districts w/ Highest Rate of LTS	Rate of LTS (per 100)
Hoke	3.10
Hertford	0.88
Cabarrus	0.79
Pitt	0.76
Wake	0.60
Pasquotank	0.57
Moore	0.56
Person	0.56
Tyrrell	0.52
Franklin	0.52

Expulsion

- Definition: permanent removal
- # of expulsions in 09-10: 88

Expulsion – Change Over Time



Expulsion – District Comparison

Districts w/ Most Expulsions	# of Expulsions
Forsyth	25
Wake	10
Craven	5
New Hanover	5
Charlotte-Meck.	3
Pasquotank	3
Person	3
Pitt	3
Burke	2

Disparities-Male Students

- 51.0% of students, but...
 - 72.5% of STS
 - 76.0% of LTS
 - 84.1% of expulsions

Disparities-Spec. Ed. Students

- 14.0% of students (approx.), but...
 - 24.2% of STS
 - 16.6% of LTS
 - 20.7% of expulsions

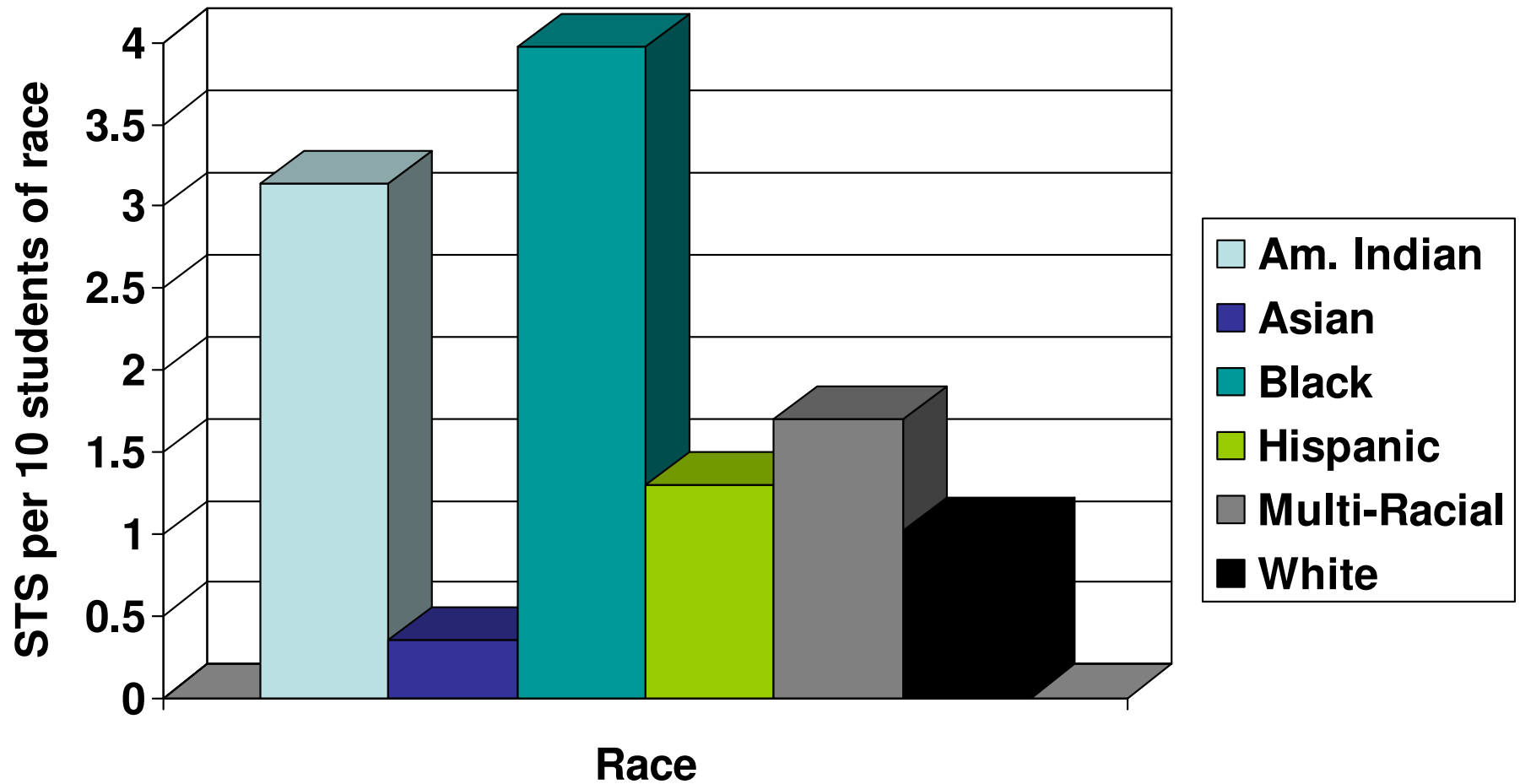
Disparities-9th Grade Students

- 9.0% of students, but...
 - 21.6% of STS (approximately)
 - 30.0% of LTS
 - 29.5% of expulsions

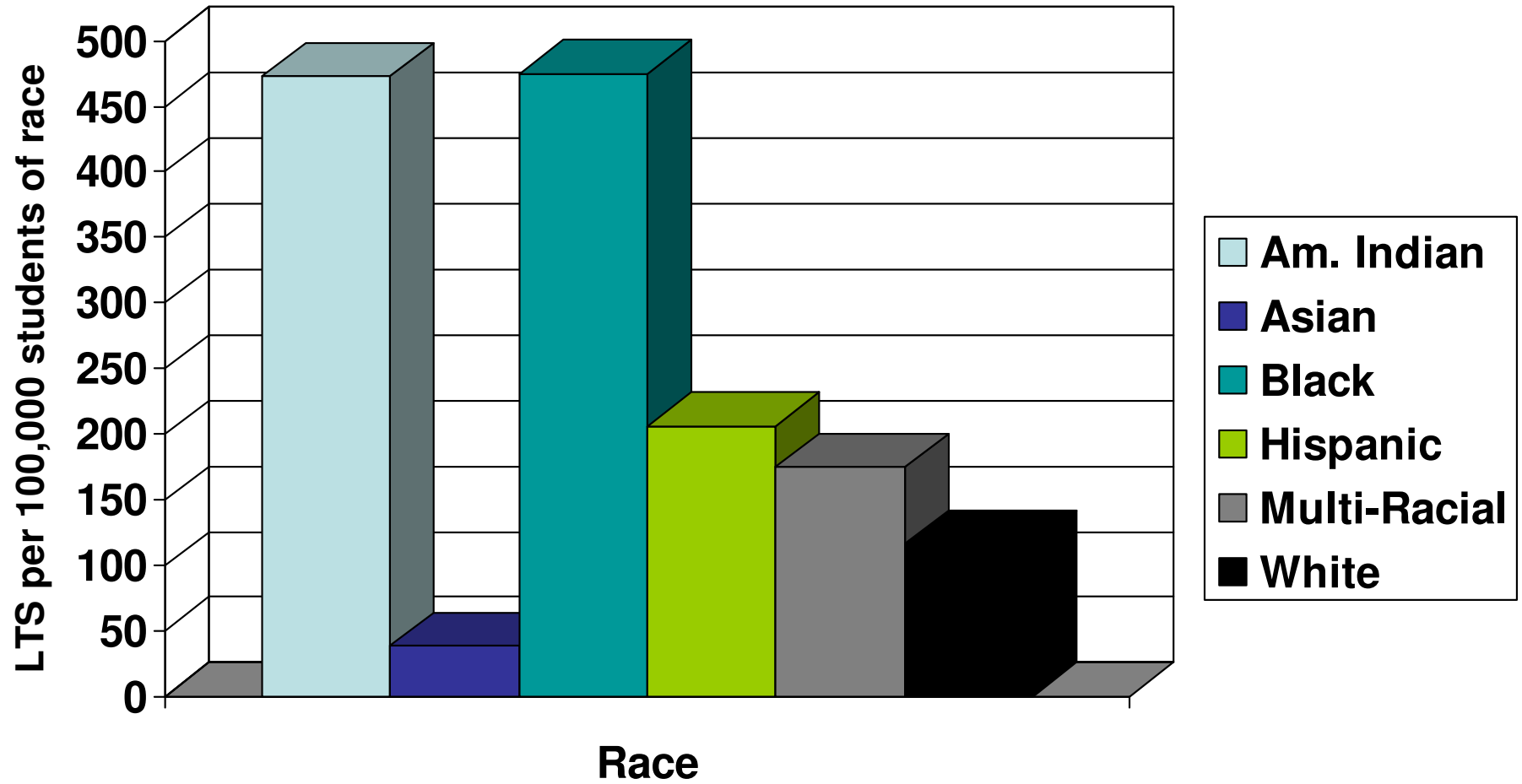
Disparities-Black Students

- 31.1% of students, but...
 - 56.4% of STS
 - 55.8% of LTS
 - 65.9% of expulsions

Racial Disparities in STS



Racial Disparities in LTS



Consequences of Suspension & Expulsion

- Accelerating course of possible delinquency by leaving youth w/ little parental supervision and more opportunities to socialize w/ deviant peers
- Increasing likelihood of dangerous conduct, such as engaging in physical fights, possessing weapons, and using alcohol, tobacco, and drugs
- Generating feelings of alienation and failure that lead to unemployment, gangs, and crime
- Leading to isolation, suicidal ideation, and substance abuse
- Intensifying conflicts with adults
- Creating a self-fulfilling belief that a student is incapable of abiding by schools' social and behavioral codes
- Decreasing motivation to learn
- Worsening academic performance (including failing grades and retention)
- Increasing the likelihood of dropping out and not graduating

Over-Policing

- Law enforcement officers working full-time in schools (2008-09): 849
 - increase of 606 (249%) since 1996
 - 113 of 115 districts had at least one
 - About 1/2 carry a TASER
- + “security investigators”
- + private security guards

Consequences of Over-Policing

- Human
 - Often lack adequate qualifications and trainings
 - #s of arrests and referrals to juvenile and criminal justice systems for minor crimes rises
 - Physical injury and emotional trauma when state-issued weapons used
- Educational
 - Studies suggest that a heavy police presence can:
 - Intimidate students and cause many students to feel and experience a prison-like atmosphere of suspicion, control, and dominance
 - Create adversarial environment and work against cooperative learning environment
 - Interfere w/ normal adolescent development
 - Undermine authority of teachers and school administrators
- Financial
 - No clear causal link b/w high police presence and school safety has been proven, yet millions and millions being spent
 - E.g.: Avg. SRO salary in Wake County (09-10): \$50,291

School-Based Delinquency Complaints

- School-based delinquency complaints: 16,409
- % of all delinquency complaints: 42%
- % of school-based delinquency complaints adjudicated (2008-09): 31%
- School-based arrests: ???
- School-based criminal complaints: ???
 - NC is 1 of only 2 states in U.S. that automatically charges, prosecutes, and sentences all 16- and 17-year-olds in adult criminal system

Racial Disparities in School-Based Delinquency Complaints

Race	Percentage
American Indian	1.6
Asian	0.4
Black	45.8
Hispanic	9.3
Multi-Racial	2.3
Other	0.4
Unknown	0.2
White	40.0

School-Based Delinquency Complaints – District Comparison

District	Number
Guilford	1,237
Charlotte-Meck.	1,193
Wake	802
Cumberland	640
Robeson	506
Forsyth	497
Nash	446
Pitt	428
Buncombe	422
New Hanover	413

Most Common School-Based Delinquency Complaints

Offense	School-Based Delinquency Complaints
Simple assault	2,398
Simple affray	1,607
Disorderly conduct at school	1,519
Weapons on educational property	1,248
Truant	1,038
Larceny-misdemeanor	766
Communicating threats	747
Assault on government official	541
Sexual battery	441
Possession of marijuana (up to ½ oz.)	398

Consequences of Adjudications/Convictions

- Stigmatization
- Deportation
- Eviction from public housing
- Ineligibility for student loans
- Prohibition from participation in high school athletics
- Delay in earning driver's license
- Reduced employment opportunities
- Inability to enroll in school

Students' Rights: Academic Failure

- If at risk of academic failure, students entitled to Personal Education Plan (PEP)
- When at risk of academic failure?
 - Scored I and/or II on EOG or EOC tests; and/or
 - Other factors present (ex. failing grades, excessive absences, and suspension)
- What goes into PEP?
 - Evaluation to determine difficulties and needs
 - Intervention strategies, such as coaching, mentoring, tutoring, summer school, Saturday school, extended school days, special homework, smaller classes, modified instructional programs
 - Monitoring strategies to make sure being followed and working
- Other PEP rights?
 - Parents/guardians should be included in implementation and review
 - Free transportation to access intervention activities
 - Parents/guardians should get copy of PEP

Students' Rights: Limited English Proficiency (LEP)

- School districts must:
 - Take reasonable steps to provide LEP parents w/ meaningful access to school programs and services
 - Conduct home language survey upon each student's enrollment and maintain the results in the student's permanent record
 - Promote the involvement of LEP parents in the educational program of their children
 - Notify national origin minority group parents of school activities which are publicized to other parents (in the home language if feasible)
 - Respond to reasonable requests for explanations and interpretations of students' records
 - Provide ELL students w/ alternative services until they're proficient enough in English to participate meaningfully in the regular education program
 - Provide translation during much of the special education process
 - Provide notice of long-term suspension in parent's/guardian's 1st language, when appropriate foreign language resources are readily available

Students' Rights: Special Education

- Evaluation
 - To determine if student has disability that impacts education
- Individualized Education Program (IEP)
 - Plan to meet individual needs of child
- Least Restrictive Environment (LRE)
 - Has to be educated w/ non-disabled peers as much as possible
- Manifestation Determination Review (MDR)
 - IEP Team meeting to decide if alleged misbehavior was:
 - Caused by or substantially related to disability; or
 - Direct result of school's failure to implement IEP
- Free and Appropriate Public Education (FAPE)
 - Education services designed to meet the individual education needs of students w/ disabilities as adequately as the needs of nondisabled students are met
- Functional Behavioral Assessment (FBA)
 - Figure out the causes of the behavior problems and identify ways to prevent problem behaviors
- Behavior Intervention Plan (BIP)
 - Identify supports or strategies that will improve behavior; establish steps to be taken when misconduct happens; and identify consequences for misconduct

Students' Rights: STS

- Explanation from the school as to why they're being suspended
 - What rule broke
 - Evidence
- Tell their side of story
- Take textbooks home, get homework, and make up tests
 - Parents should request from front office

Students' Rights: LTS and Expulsion

- Same rights as STS during 1st 10 days of suspension and during appeal
- Receive written notice of the charges that must include:
 - Description of incident
 - Policies that student charged w/ violating
 - Specific process for parents to request hearing to challenge, including how many days a parent has to request it
 - Description of format for holding a hearing
- Informal hearing before unbiased decision-maker where students can:
 - Present evidence in their defense
 - Bring witnesses to testify on their behalves
 - Question witnesses, evidence, or statements used against them
- Bring attorney and/or advocate to the hearing
- Appeal to Board of Education
- Appeal to Superior Court

Students' Rights: Interrogations & Searches

- Interrogation
 - If custodial interrogation, then *Miranda* warnings must be given
 - Student has right to remain silent and have parents present
 - If under 14, student must have parent or lawyer present
- Search and seizure
 - School officials can pat down outside of students' clothes, search students' belongings, and search students' car, if:
 - It's reasonable for them to believe that students are carrying illegal things, or things that are not allowed at school; or
 - Students give them permission.
 - School officials can also
 - Search lockers and school computers at any time for any reason
 - Take anything illegal or dangerous they find on students during searches
 - Conduct metal detector checks of groups of students, if checks are done in a minimally-intrusive, nondiscriminatory manner

Reform 1: Improve School Board Policies

- Eliminate zero tolerance policies
- Require administrators use graduated interventions and consequences to handle misbehavior
- Require administrators to consider mitigating factors before suspending students
- Limitations on use and length of suspension for off-campus misconduct, elementary school students, and minor offenses
- Discipline "matrix" that incorporates the above reforms
- Greater due process protections for students facing suspension or expulsion

Reform 2: Improve Learning and School Climates

- Positive Behavior Interventions and Supports in all schools with fidelity
- High-quality Personal Education Plans (PEPs) for all students at risk of academic failure
- High-quality Individualized Education Programs (IEPs), Behavior Intervention Plans (where appropriate), and special education services for all students with disabilities
- Mandatory, high-quality, on-going trainings for all teachers, principals, and administrators in dismantling oppression, cultural competency, the school-to-prison pipeline, and behavior management
- Improved parental outreach and engagement

Reform 3: High-Quality Services and Programs

- More highly-qualified school counselors, psychologists, and social workers
- More high-quality alternatives to suspension, such as counseling, substance abuse treatment, mediation, community service, restitution, in-school suspension, and Saturday school
- High-quality alternative schools and programs for suspended students
- Improved relationships and coordination w/ local service providers and community organizations

Reform 4: Improved Use of Security Personnel

- Mandatory, high-quality, on-going trainings, including in: adolescent development, students with disabilities, standards for searches and interrogations, and the consequences for youth of court-involvement
- Limitations on use of force
- Prohibition on interrogations of students without the presence of students' parents or guardians
- Prohibition on arrests and court referrals from being made against students who commit minor offenses and students whose conduct was a manifestation of their disability
- Clear, standardized, well-publicized complaint procedures to be used when security personnel behave inappropriately

Reform 5: Increased Transparency and Accountability

- Improved data collection and publication that is readily available in an easy-to-understand format
- Involvement of students, parents, and community members in developing student conduct policies and behavior standards
- School-based discipline oversight and advisory committees made up of students, parents, community members, and teachers

Rukiya's Experiences

- What I learned as a teacher and school administrator about how agencies can support students and schools

Group Discussion

- Everyone share at least one thing you're definitely going to do when you return home that will help dismantle the school-to-prison pipeline
- Record on chart paper
- Be prepared to share with everyone 3 great ideas from your discussion

Thank You!

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