**SCHOOLS 2 PRISONS:** FROM PUPIL TO PRISONER

Welcome to this segment of the League of Education Voter’s and Our American Generation’s

“Schools 2 Prisons” series.

The last segment explored the economic, social and cultural cost of educational inequity. This

time we’ll be looking more closely at the connection between a broken prison and education

system and how ultimately they work together to disenfranchise youth with a very real and

lasting effect on their lives.

How exactly *do* we push kids out of schools and onto a path towards jail? What does that

process look like? In this podcast we’d like to paint a picture of exactly how this broken system

is changing kids from being pupils to being prisoners. Getting our queue from Michelle

Alexander’s recent work “*The New Jim Crow: Mass Incarceration in the Age of Color Blindness”*

we’ll be looking at how these two systems—education and prison—perpetuate the very same

inequities seen in America’s Jim Crow era.

Students experience Jim Crow in the classroom and in the streets through the guise of “zero

tolerance policies” and “juvenile justice.” But what does it actually mean for society when huge

numbers of the population are imprisoned instead of educated? In what ways do the prison

system and the public school system mirror the intention and actuality of Jim Crow politics?

Have we progressed?

We’ll attempt to answer some of these questions as well as explore some solutions.

Before we dive in, let’s refresh ourselves about the history and legacy of the Jim Crow era. In

some ways we’ve progressed as a society, but in what ways have we stayed the same? What

does progress really mean when the inequalities of Jim Crow are repeated in the 21st century?

These days it is common to hear the term “post-racial” thrown around in political discourse when

describing contemporary society—but let’s unpack that phrase a bit more. Post-racial is the

notion that our society has moved beyond race, as in we no longer hold biases towards others

because of the color of another person’s skin.

It is the notion that we don’t need to acknowledge racial differences because there’s a belief that

we’re all treated the same under fair and just laws.

Opportunity gap data and jail sentencing data prove this is plain untrue. Race matters. Race is

real, and systems and people—whether consciously or not—perpetuate inequalities.

Granted, we are not living in an era such as Jim Crow where the racism was explicitly spelled

out in written policy and law. The US doesn’t have an explicit *racial caste system* anymore, but

Jim Crow was more than just a set of laws it was a way of life. It created a society in which

people of color in the United States were relegated to the status of second class citizens.

Michelle Alexander argues that Jim Crow never ended but that jails and prisons, because of

disproportionate sentencing, are the current extension of Jim Crow laws. We’ll outline in this

podcast how some of the public school discipline data mirrors this trend.

We’d like to illustrate how exactly this takes place by painting a picture of the school-to-prison

pipeline, specifically focused on how high stakes and zero tolerance policies create hostile

classrooms. We hope to show the ways in which policies, both inside and outside of the

classroom, perpetuate this pipeline and work to disenfranchise students for the rest of their

lives.

We chose to focus on race and gender in this illustration in order to highlight the ways in which

non-white, male students are targeted by the public school system.

For the purposes of this podcast we chose to focus on high school because evidence suggests

that high school is a turning point in an adolescent’s life—which way they turn is to be

determined. We realize that a system as big as public education is complex and is affected by

both inside and outside factors.

While we know the education system is complex, we also think it’s the most important place to

start. The last podcast outlined the serious consequences for not getting a diploma, and we

know that there are young people dropping out of high school as we speak.

Classroom culture, curriculum, teacher to student relationship, classroom management and

engagement of students are just a few of the factors that contribute to a young person’s

experience at school. As we’ve discussed in earlier podcasts, the range of quality in schools

varies from city to city, county to county and state to state. Much of what is being taught in

public school classrooms is based on preparing students to take a state standardized test—at

test that will determine whether or not youth will graduate. That’s a lot of pressure for a young

person.

When we talked with students and teachers alike, they told us how important an inclusive

curriculum and diverse learning materials are. However, the teachers we spoke with feel they

are limited in what they can cover in class if it does not directly prepare a student for the

material covered on a standardized test. A curriculum that does not relate to the lives of

students as well as the intimidation attached to failing a standardized test, creates a classroom

culture in which kids are less than enthusiastic about the subject and scared they will fail.

Everybody has a part to play in the way we use standardized tests. They are helpful in the

sense that they help measure what students are learning and whether or not they are learning

the same thing in different schools, as well as assisting teachers in seeing what areas they need

to work on. But, there is a tendency for districts, principals and teachers to penalize themselves

for not performing well on standardized tests. This type of “all or nothing” method of testing

students can create a hostile school culture, one that is based on a dichotomy of pass or fail,

which is what creates the stress. School could become a sort of prison for students and for

teachers, in some way.

We talked with Dr. Wayne Au, educator and activist, who gave us his insight on the issue of

testing.

*(Professor Wayne Au)*

Some teachers feel the culture of urban classrooms have come to resemble an assembly line

model of education that emphasizes conformity and creates a culture of fear for both the

teacher and the student. Among the teachers we spoke with, many agree that there are some

things students should all learn like reading well by the third grade, writing and basic math skills.

That type of conformity makes sense. However, the older students get and the more their

learning styles and interests differ, it gets increasingly hard to determine what should be taught

or learned in school.

This is when individuality and flexibility makes the most sense. Teachers know their students

best and should have the freedom to teach how they like. This is the catch twenty-two of

standardized tests: how do we find a balance between agreeable standards and high rigor?

Beyond limited curriculum in the classroom are disciplinary policies that are quick to criminalize,

rather than correcting or helping guide student behavior.

As we’ve touched on previously, zero-tolerance policies were initially created as a response to a

nationwide crackdown on weapons, drugs and violent behavior in schools. They are enforced

when students commit what is called “exceptional misconduct.” In Washington State, each

individual school district is allowed to define exactly what “exceptional misconduct” means. In

some instances, the definition has expanded to include a zero-tolerance approach to truancy,

gangs and even harassment.

If a student breaks a rule that falls under the purview of a zero-tolerance policy, the punishment

is severe and formal. Your options for redress, if you feel you were wrongly punished, are

limited.

Within the Seattle School District there are 9 categories of “exceptional misconduct” that warrant

suspension and immediate referral to police. A few of these offenses range from: trespassing

on school property, to intimidation of school authorities, to fighting, to the use of toys as a

weapon, to pulling fire alarms, or for partaking in gang or hate group activity.

Black and brown students, because of racial discrimination, are perceived to be more violent

and disruptive than white students. The problem with zero-tolerance policies is that they are

supposed to objectively punish students for crimes which are subjectively determined by adults.

We spoke with Anne Lee, the Executive Director of TeamChild, which is a group of attorneys

who provide free legal representation and advice to help youth assert their civil/legal rights, and

to access community-based services that help meet their basic needs. For example, TeamChild

would help students get back into school, secure safe and stable housing, obtain health care

and mental health services, or to access other kinds of public support.

TeamChild serves roughly 1,000 young people in Washington State with 7 different offices.

They have existed since 1997.

When I interviewed Anne, I asked her a question I am sure she gets all the time—“What are

students most often suspended for?” I was curious; I wanted to know if it was fighting or

something like drug use, but Anne was quick to reframe the question.

Instead of talking about an actual offense that a student committed, she spoke to the reaction

that adults had towards the incident. She believes, in a lot of cases, adults overreact. Students

misbehave without knowing the severe consequences of their actions and strict policies jack up

the stakes, especially when it comes to issues or incidents around gangs.

To some adults, it is not a crime to loiter in the hallways with a group of friends. You could be

yelling loudly and goofing around. To another adult, this could look like a gang and you could be

perceived as harassing another student.

Under a zero tolerance policy, all of these students would be suspended with no opportunity to

explain the circumstances.

There is no evidence that suggest that youth of color commit offenses at higher rates than white

kids, yet they are criminalized at much higher rates. What we mean when we say “criminalized”

is that these offenses, under zero tolerance policies, *have* to be reported to the police

department. Young people may think they could *only* get in trouble with school administrators,

when in reality they are sent directly into the juvenile court system. This is an example of the

ways in which the legacy of Jim Crow still exists in the classroom, through the criminalization of

black and brown youth. Zero tolerance policies were intended to keep students safe, but instead

have done the opposite.

Nationally, 20% of Black youth are suspended and 5% are expelled. In contrast, 9% of white

students are suspended but only 1% are expelled.

In Seattle, the national trend is similar with 28% of African-American middle school students

suspended compared to only 7% of White students.

Evidence suggests that roughly one fourth of students of color who are suspended or expelled

don’t return to the classroom. For white students, the same is true, but only for less than 1

percent of students.

We’ve seen how Jim Crow-like policies are keeping kids *out* of the classroom, but they’re also

pushing them *through* a pathway to jail. What happens to kids when they’re not in the

classroom? How are youth of color experiencing Jim Crow outside of school? Youth of color

who have been expelled from public schools because of discriminatory policies are at risk of

being targeted on the street for the very same reasons.

It’s not news to most that racial profiling exists in America. We’re referring to a police person’s

use of an individual’s race or ethnicity as a key factor in determining whether or not to engage in

law enforcement. Racial profiling is a component to the long-standing Jim Crow legacy in this

country, where black and brown bodies are targeted and highly policed in public spaces.

Along with race, I would argue that age is also a factor in discriminatory discipline enforcement.

As a society, we often assume the worst of young people. Racial profiling on the streets is

where young students of color move through the next section of the “pipeline” towards prison.

One major policy that is often overlooked that ends up having severe consequences on young

students of color are “school-zone” drug laws. “School-zone” drug laws are those that increase

penalties of an offender for committing crimes near a school. In Washington State, school-zone

laws enhance a standard drug sentence by two years, as well as double the penalty for the

manufacturing, selling, delivering, and/or possession of drugs when activity happens within

1,000 feet of a school. Washington goes a step farther by extending the increased sentencing

for areas near public parks, public housing projects, school bus route stops and civic centers.

These laws which were intended to keep students safe from drugs often times put youth of color

and low-income students at a greater risk of being harshly policed and sentenced. With these

types of policies, even a minor, non-violent drug offense committed within a “drug free” zone

results in a far harsher punishment. In 2005 in Pierce County, African-Americans were three

times more likely than whites to receive the school zone enhancement when convicted of drug

offenses.

As we’ve discussed in the previous podcasts, students of color don’t use drugs at a higher rate

than their white peers. One way this unequal outcome could be explained is by taking a closer

look at geography. If schools, civic centers, parks and housing developments are the targeted

areas for increased and stricter drug regulations, these policies are more likely to affect

individuals living in metropolitan environments, where communities of color and low-income

communities are concentrated.

Students of color, when in fact in trouble with police, have been shown to receive harsher

penalties within the school system and also outside of its walls. We’ve read studies that show

youth of color are more likely to be tried as adults than their white peers in the criminal justice

system.

In Seattle, a city with a comparatively small African-American population, 64% of Black youth

who had been detained were actually prosecuted compared to only 33% of white youth. This

results in a large segment of youth of color behind bars, a trend that mirrors and foreshadows

the mass incarceration of people of color that Michelle Alexander writes about.

In recapping, we’re beginning to see how disparities in educational attainment, in discipline in

schools, and in convictions outside the classroom build on each other to create overwhelming

differences in school experiences for students.

As a tutor in the King County Juvenile Detention Center, I witnessed the learning environment of

convicted students and they often got shorthanded when it came to their education while in juv [juvenile detention center].

The staff to student ratio is extremely high and detention school teachers are often

overwhelmed with large numbers of students, each who have differing learning needs. Many of

the students in detention come with learning and behavioral disabilities that teachers are not

always equipped to handle. The quality of education in the detention school is compromised by

the fact that the students range so much in age and grade levels.

Students from age 10-17 are stuck in the same classroom and expected to learn the same

things the same way. Also, a student’s length of stay varies; youth can be detained anywhere

from 6 months to over a year. It becomes nearly impossible for teachers and students to have

the kind of learning environment necessary for substantial learning. Personally, working at the

detention center was a rewarding experience because I was able to connect with students and

support them, but during my time there I witnessed a lot opportunities to improve the system.

There are a number of reasons schools deny re-entry to students returning from the juvenile

justice system. For example, if a student was convicted of crimes that were perceived as

dangerous to others, they may be asked to prove that they have gone through a “behavioral

readjustment,” such as an anger management course. Regardless of the crime, that’s no reason

to deny a student an education. We found that students are mandated by law to attend classes

until the age of 16, yet after a student is expelled or deemed truant, it was confusing to pinpoint

exactly who was responsible for re-enrolling that student.

One article we read suggested that district administrators encouraged students to enroll in

alternative education programs because the logistical aspect of re-enrolling into a standard

public school was cumbersome. Some students just dropped out.

When students do re-enroll, they often find they earned far fewer credits while in a detention

center school than in a regular public school. Classes held in detention centers are sporadic and

often disrupted by behavioral difficulties. They’re underfunded and with little classroom space

and outdated materials. This contributes to a higher dropout rate of students of color who have

been involved in the juvenile justice system because they have to take remedial courses to

catch up to their peers. A national study concluded that 66% of students who were formerly in

custody eventually dropped out of school after their release.

We can see how the right doors close and how the wrong ones open for many students. While

these policies and practices are not explicitly making a racialized statement on an individual

level, they make a grand impact when viewed from an institutional level. The real problematic

connections between the school and prison systems are manifested in the continued, life-long

disenfranchisement of youth of color.

Access to a quality public education should be a right for every student regardless of race,

class, sex or even former incarceration. By pushing kids out of school, we are not only robbing

them of a quality education but also robbing them of serious life chances. An education system

infested with discriminatory discipline policies restricts the future economic and social mobility of

youth. Having a criminal record makes it extremely difficult to find a job and own a home, which

makes an individual more reliant on social services. The irony is that these very services are

harder to qualify for if you have a criminal record.

Life-long restrictions for past criminal offenders are a contemporary manifestation of the Jim

Crow legacy in our education system. When black and brown students are pushed out of the

classroom and into the juvenile justice system, we maintain a Jim Crow-like socio-economic and

racial caste system in the U.S. where people of color remain in inferior positions. One lawyer we

spoke with asked candidly, “who teaches the bad kids?” The students that need the most help

are the ones we end up pushing through the court system.

If this information jars you, you’re not alone. Students, teachers, parents and policy makers alike

are working on strategies to ease the gap and are finding what we’d all expect—that

complicated and deep-rooted social issues require multifaceted and well-funded policy

approaches. It doesn’t help that there seems to be a proverbial “passing of the torch” when it

comes to discussing whose feet we’re going to hold to the fire. If you’re looking for a solution; it

varies depending on who you ask.

If you ask a student how to fix the opportunity gap, they will most likely tell you that the single

most important factor in their education is their teacher. The culture of a classroom has to be

inclusive and respectful of differences while still being challenging. If a student knows their

teacher cares and is invested in their life, it makes all the difference. Students want curriculum

that speaks to their personal histories and represents a variety of perspectives. Think more

Howard Zinn and less Founding Fathers. Also, everyone young person we talked to wants to go

to college and needs their teachers, principals and parents to help guide the way.

If you ask a teacher how to fix the opportunity gap, they will most likely tell you that the nation as

a whole is putting too much on the teacher’s plate. Schools are overcrowded and underfunded,

leaving teachers overworked and exhausted. They might say that it starts at home—students

need their families to instill a love of learning from an early age and be there for support

throughout their school careers. We heard several teachers say it’s hard to teach students who

come to school hungry or to teach students who are constantly struggling with issues at home.

A teacher would also ask for freedom and flexibility in their curriculum. Think less standardized

testing and more project-based learning and assessment.

If you were to ask a parent to fix the opportunity gap, they will tell you the schools need more

funding. As long as our neighborhoods are segregated by race and class and our schools

depend on levies and bonds that are proportional to a neighborhood’s income bracket, our

schools will continue to struggle with unequal resources. The state helps in some degrees, but

we can do better. It’s written into Washington’s constitution that it is our paramount duty to

adequately fund our public education system, yet we’re still lagging behind the rest of the nation.

If you were to ask a policy maker or politician how to fix the opportunity gap, they would most

likely speak to the stalemate nature of bipartisanship and political games that make sweeping

changes tedious and slow. They would point to conflicts between two major camps: teachers’

unions and education reformers who constantly struggle to find policies they can agree to work

together on.

However, despite the overwhelming nature of the problem, we know that we can close the

opportunity gap and end disproportionate discipline problems. There are clear examples of

students, teachers, schools, districts and states that have turned the tides and begun the work

to close gaps.

We also know that Washington is amongst the states that have the most work to do. A recent

report by the Center for Education showed that at the rate Washington State is going, it would

take us 105 years to close the gap. One immediate solution is to rethink zero-tolerance policies

towards school discipline.

In summary, we started off our podcast series by looking into gaps in academic achievement on

standardized tests and on graduation rates. We found that school culture, curriculum and a

student’s relationship to their teacher heavily influenced their experience at school. We saw that

school districts that made intentional efforts to work on issues of truancy and unequal

suspension and expulsion saw promising results.

We then took a look at how discipline policies can and have increased students’ chances of

exiting school prematurely. We saw that schools implemented no-second-chances into their

discipline policies with a goal of keeping students safe but ended up with drastically unfair

results. We looked at the financial costs when students dropout—for students themselves but

also for taxpayers.

Lastly, this podcast explored how the opportunity gap and disparities in discipline hurt students

of color and students from lower-income households by permanently disenfranchising large

portions of the youth population. We explored that juvi not only puts a student way behind in

their education but also potentially bars him or her from receiving important social services later

in life. We see that our public education system is broken, and in some cases the most

vulnerable students are the ones who are hurt the most.

For most folks listening, this may not be the first time you’ve been introduced to these concepts.

We’re sure it’s not the last time you’ll hear the phrase “school to prison pipeline.” We hope

we’ve achieved our goal—to continue an honest and candid discussion on one of the most

pressing issues plaguing our public school system. If you’d like to learn more about the school

to prison pipeline or about the League of Education Voters or Our American Generation, please

look us up on the web! Thanks for listening!