

Impact Justice

**New Information About the School-to-Prison Pipeline:
Up to Nine in Ten Juvenile Justice-Involved Youth Have Been Disciplined in School**

**Angela Irvine, PhD, Vice President, Impact Justice
Aishatu Yusuf, MPA**

August 30, 2016

Citation: Irvine, Angela, and Aishatu Yusuf. 2016. "New Information About the School-to-Prison Pipeline: Up to Nine in Ten Juvenile Justice-Involved Youth Have Been Disciplined in School." Working paper. Impact Justice, Oakland, CA.

Introduction

Juvenile justice involvement undermines well-being and slows emotional and academic progress. Youth who have been suspended or expelled on top of justice involvement face consequences that can seem like double punishment. Melanie, a Black girl from Jefferson Parish in Louisiana, for example, is an excellent student whose expulsion derailed her academic career. She struggled to find a supportive learning environment to recover her academic success long after her probationary period was over (see the green sidebar to the right for more information). And her story is not unique.

This study documents that the vast majority of youth in the juvenile justice system have been suspended or expelled from school before they are first detained.¹ This research, which looked at seven juvenile detention facilities across the United States, found that up to 9 in ten youth, depending on race, sexual orientation, and gender identity of youth had been disciplined at school prior to justice involvement. The authors calculated the percentage of each group that had either been suspended or expelled. The rates for each subgroup of juvenile justice-involved youth are shown in the chart on the next page.

The groups with the lowest rates of previous school discipline are straight, white girls (69%); straight, Black girls (73%); straight, Latina girls (78%); and gay, bisexual, questioning, gender

¹Suspension is a form of school discipline that removes students from their assigned schools for one to five days. Typically, suspensions are completed by school administrators based on the educational legal code. Expulsion is a form of school discipline that removes students from their assigned schools for up to one year. Students are removed through expulsion hearings overseen by district employees. Suspension decisions and expulsion hearings are less formal than court proceedings and rarely provide access to defense attorneys.

Melanie: Expulsion Doubles Punishment for Youth on Probation

When the authors were in New Orleans interviewing young people who had been in the juvenile justice system, we met Melanie, who lived across the river in Jefferson Parish.

Melanie is 16 years old and Black. When she opened the door, she was wearing a hoody and baggy sweats. She told us her long story, including how her mom always wanted her to be more “like a girl.” Then she told us her history of being suspended for “stupid little things” like playing with her cell phone or chewing gum. She eventually was expelled when her principal became frustrated with her history of suspensions.

After being expelled, Melanie was assigned to an alternative school for youth on probation.² The school was in session just half a day and only offered classes for students who needed to catch up academically.

Melanie may have been in trouble, but she was a student who always received good grades and had a chance to go to college. She was on probation for dealing drugs, but her biggest barrier to success was being stuck in a remedial alternative high school program while she waited for her old school to let her back in.

She said, “Being expelled is a dead end.” When Melanie got in trouble in school, she was rejected from the schools that could help her get through probation and succeed in the long run. Expulsion creates a double punishment for youth like Melanie. If educators begin collaborating with the juvenile justice system, students like Melanie can get back on track toward success.

² Once students are expelled, they are often assigned to alternative schools. Alternative schools were developed in the United States after the 1970s for students at risk of failing school and students expelled from their neighborhood schools. Sometimes alternative schools serve a mix of students or specialize in particular populations such as expelled youth or youth on juvenile probation.

nonconforming, and transgender (GBQ/GNCT) Latinx boys (80%).

The groups that have close to nine out of ten youth with school discipline histories are straight, White boys (87%); LBQ/GNCT White, girls (87%); GBQ/GNCT, White boys (86%); straight, Black boys (86%); and GBQ/GNCT, Black boys (85%),

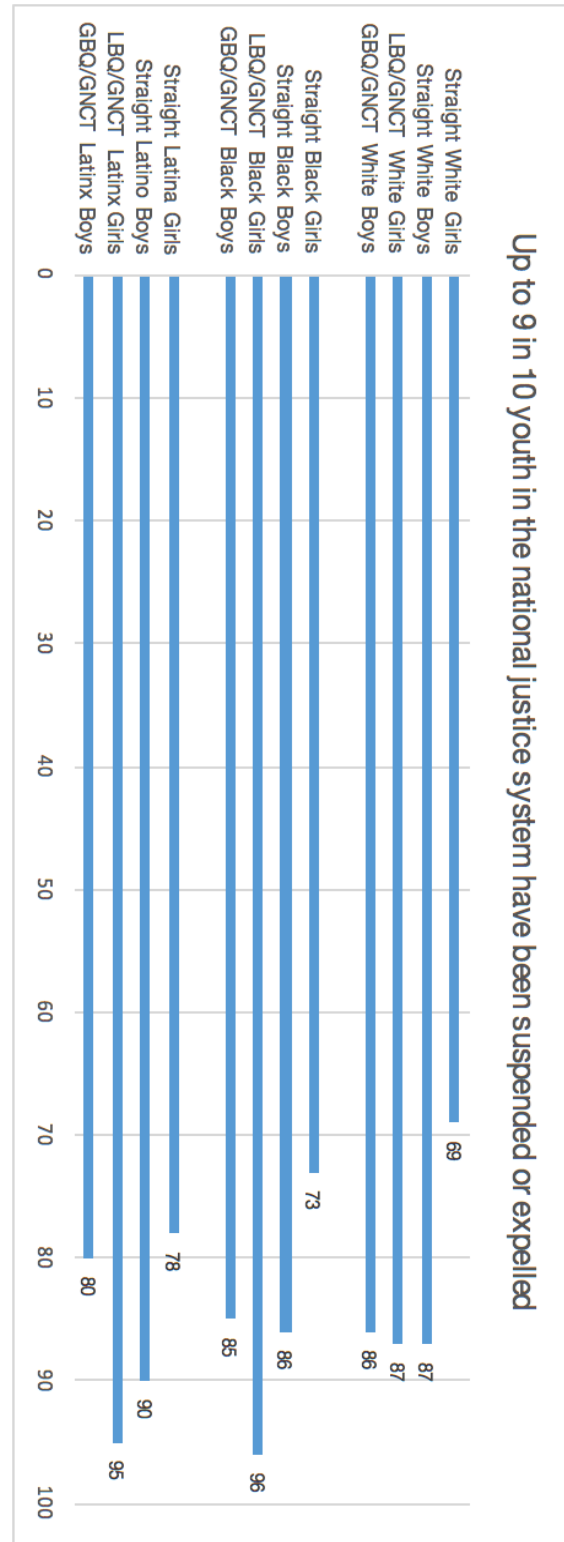
The groups that have at least 9 out of 10 youth with school discipline histories are LBQ/GNCT, Black girls (96%); straight, Latino boys (90%); and LBQ/GNCT, Latinx girls (95%). Notably, the LBQ/GNCT girls of color are most likely to have a history of previous school discipline.

Building New Knowledge

Previous studies have raised national concern regarding large racial disparities in school discipline and have shown that suspensions and expulsions can drive juvenile justice involvement. However, until now, very few studies have shown just how many youth in the juvenile justice system have had previous expulsions or suspensions.

The lack of research is in part due to lack of data and information access across systems, lack of system collaboration, and lack of knowledge regarding what information to collect. For example, probation departments do not document school disciplinary procedures, and education systems do not document or have access to student court proceedings.

The Office of Juvenile Justice and Delinquency Prevention completes a Survey of Youth in Residential Placement. This survey asks youth in out-of-home placements whether they have been suspended in the past year and reports that 58% of respondents said yes (Sedlak and Bruce, 2010).



This study provides a similar yet rare link between these systems through its survey of all youth detained in seven juvenile detention facilities across the country. This survey, however, asks youth how many times they have ever been suspended or expelled. This methodological difference led to a higher disclosure rate and showed a stronger link between school discipline histories and juvenile justice involvement.

Connecting This New Data to the “School-to-Prison Pipeline”

This study builds on previous findings suggesting that huge racial disparities exist in school discipline and that suspensions and expulsions drive juvenile justice involvement. Some examples of these findings follow.

- The Council of State Governments, in their report *Breaking Schools’ Rules*, found that African American students had a 31% higher likelihood of experiencing a school infraction compared with White students. (Fabelo et. al, 2011).
- The U.S. Department of Education Office for Civil Rights (2014) identified racial disparities in school- based referrals to law enforcement. They found that Black students represent 19% of US students, 27% of students referred to law enforcement by schools, and 31% of students subjected to a school-related arrest.
- Shollenberger (2013) reported that more than one third of males suspended for 10 or more days had been confined in a secure justice facility. Notably, this juvenile justice involvement occurred after the first suspension.

This previous research documents how youth of color, particularly Black students, are suspended and expelled at higher rates when compared with White students; that students of color are more likely to be engaged with school-based law enforcement efforts; and that students with long histories of suspensions are more likely to become incarcerated.

This report documents how many youth in the juvenile justice system have been previously suspended or expelled. With up to nine in every 10 incarcerated youth having a history of school suspensions or expulsions, there is a dramatically higher rate of formerly disciplined students than previously reported.

These figures are much higher than the suspension and expulsion rates in the general population. The National Center for Education Statistics (2011) reports lifetime suspension and expulsion rates. They found that 49% of all Black high school students have been suspended compared with 18% of all White students. Additionally, 10% of Black high school students have been expelled compared with 1% of White students. In contrast, when we reanalyze our data into comparable groups, we see that 81% of Black youth and 41% of White youth in the justice system have been suspended and 41% of Black youth and 32% of White youth have been expelled.

The reasons for such high concentrations of suspended and expelled youth within the juvenile justice system remain unclear and require additional exploration. What we can see, in stories like Melanie’s (see sidebar on page one), is how easily youth become structurally vulnerable to juvenile justice system involvement once they are suspended or expelled.

One explanation may be that suspension or expulsion can directly link a youth to court involvement. Often, when students are expelled or suspended, they are referred to the courts after an arrest on school grounds. This direct contact with law enforcement may not only increase the severity of the infraction, but also drive students directly from the classroom to the courtroom (see sidebar to the right on how to reduce discipline referrals).

Other potential factors, such as undiagnosed learning disabilities, trauma, child welfare involvement, and adverse childhood experiences, may cause youth to act out in school and non-school settings. In such cases, suspensions and expulsions may not be the cause of juvenile justice involvement. Rather, the behavior stemming from disabilities, trauma, and other adverse childhood experiences may be the underlying cause of unrelated suspensions, expulsions, and juvenile justice system involvement.

Conclusion: More Analysis Needed to Develop Intervention Strategies

Given the lack of research in this area, the field needs a much deeper understanding of the drivers from suspensions and expulsions into the juvenile justice system. Research linking school, child welfare, and juvenile justice data is needed to promote understanding of the root causes of disproportionate suspension, expulsion, and detention. The lessons gleaned can help policy makers develop intervention strategies that place programmatic support in children's lives with the desired outcome of preventing a cycle of punishment. If the connections between these systems are understood, stories of youth like Melanie will become less common. Systems will be better-prepared to provide resources and intervene at critical points to keep youth in school and on track toward a more successful future.

Suspensions and Expulsions Through the Eyes of Teachers

The authors recently conducted a focus group with middle school teachers in Oakland, California, who were asked: "What can YOU do to reduce suspensions and expulsions in your district?" They said, "Those decisions are out of our hands. Those decisions are made by assistant principals or principals."

Next question: "What do you do when a student doesn't take out their earbuds or chews gum or plays with their cell phone while in your classroom?"

Some teachers said that they keep moving and don't stop the flow of class. One teacher waits to speak privately with the student about what happened or marks a demerit on the board. But other teachers said they send students to the office.

Aha! "So what happens when you send students to the office?" The teachers agreed: "They almost always get suspended."

That "aha" moment sparked a detailed conversation among the Oakland teachers about what they could change in their classrooms. This led the teachers to discuss disciplinary alternatives to common behaviors in the classroom, such as partnering with other teachers for help; having informal conversations with students after class or school about small infractions; and asking students to step into the hall, rather than sending them to the office, when behavior becomes disruptive (Yusuf et.al., 2016)

From the vantage point of teachers, only a small fraction of students are expelled; slightly more are suspended. But the picture within the juvenile justice system looks very different. Inside juvenile detention halls around the country, most youth have been suspended or expelled at some point before they were placed in juvenile hall. That means that almost every child who gets in trouble with the law has already been in front of a principal or assistant principal. Educators agreed that more collaboration between them and the juvenile justice system could help both groups prevent youth from getting in more serious trouble.

Appendix A: Study Methodology

The authors conducted a survey in seven juvenile detention centers across the country,³ with the purpose of determining whether or not race, gender identity, gender expression, and sexual orientation are linked to juvenile justice involvement.

The one-page survey instrument and a one page informed consent sheet were written at a fifth-grade reading level. Research liaisons at each site shared the information sheet, collected consent forms, and surveyed every youth within four to eight hours of intake into the facility. Research liaisons were chosen by each site based on their availability to be trained and to collect the survey data.

Research sites were in Alameda and Santa Clara counties, California; Cook County, Illinois; Jefferson County, Alabama; Jefferson and New Orleans parishes, Louisiana; and Maricopa County, Arizona.

Each site collected surveys from two to four months until they collected 200 youth surveys. Sites surveyed every youth entering the facility. After reading the information sheet, youth had the chance to complete the survey or refuse. Either way, they were asked to fold the instrument and their consent sheet and seal it into a letter sized white envelope that was collected by the research liaisons and sent back to the authors.

Respondents varied across gender, race/ethnicity, and sexual orientation:

- The majority of respondents were boys. Seventy-seven percent of respondents have a male gender identity, 22.4% of respondents have a female gender identity, and .6% of respondents have a different gender identity.
- Eight-five percent of respondents were youth of color. Broken down, 37.9% of respondents are African American or Black, 1.7% of respondents are Asian, 32.6% of respondents are Latino, 2.3% of respondents were Native American, 13.1% of respondents are white, 11.8% of respondents had a mixed race or ethnic identity, and .6% of respondents had another race or ethnic identity.
- Twenty percent of respondents were either lesbian, gay, and bisexual, questioning, gender nonconforming or transgender. Broken down, 7.5% of respondents are straight and gender nonconforming or transgender, 4.8% of respondents are lesbian, gay, or bisexual and gender nonconforming or transgender, and 7.7% of respondents are lesbian, gay, or bisexual and gender conforming.
- Forty percent of girls are lesbian, bisexual, or gender nonconforming and transgender.
- There are as many LGBTQ and GNCT youth of color as white LGBTQ and GNCT youth. Youth had the same disclosure rates across race and ethnicity.

³ Juvenile detention facilities hold youth charged with crime while they wait to go to court. Youth also may be held in juvenile detention facilities if their parents refuse to pick them up or if a jurisdiction is having a difficult time finding a post-court placement. Depending on the reason for detention, stays can vary from one to two hours to several years.

- Youth of color are overrepresented within the incarcerated LGBTQ/GNCT population: 85% of LGB and GNC youth in juvenile justice system are of color.

Data was analyzed using analysis of variance tests. We used these tests to determine if the identified subgroups have statistically different responses to survey questions. All of the findings reported in this paper were significant to $p < .000$.

References

Fabelo, T., Thompson, M. D., Plotkin, M., Carmichael, D., Marchbanks, M. P., & Booth, E. A. (2011). *Breaking schools' rules: A state-wide study of how school discipline relates to students' success and juvenile justice involvement*. New York, NY: Council of State Governments Justice Center, and College Station, TX: Texas A&M University. Public Policy Research Institute.

National Center for Education Statistics. 2011. "Table 14. Percentage of public school students in 9th through 12th grade who had ever been suspended or expelled, by sex and race/ethnicity: 1999, 2003, and 2007." *Youth Indicators 2011. America's Youth: Transitions to Adulthood*. Retrieved August 5, 2016 from https://nces.ed.gov/pubs2012/2012026/chapter2_14.asp

Sedlak, A., & Bruce, C. (2010). *Youth Characteristics and Backgrounds: Findings from the Survey of Youth in Residential Placement*. Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. <https://www.ncjrs.gov/pdffiles1/ojjdp/227730.pdf>

Shollenberger, T. L. (2013, January). *Racial disparities in school suspension and subsequent outcomes: Evidence from the National Longitudinal Survey of Youth 1997*. Paper presented at the Closing the School Discipline Gap: Research to Practice conference, Washington, DC.

U.S. Department of Education Office for Civil Rights. (2014). *Civil Rights Data Collection. Data Snapshot: School Discipline. Issue Brief No. 1*. Retrieved August 5, 2016 from <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>

Yusuf, A., Irvine, A., & Bell, J. (2016) "Reducing Racial Disparities in School Discipline: Structured Decision-making in the Classroom." In R. J. Skiba, K. Mediratta, & M.K. Rausch (Eds.), *Inequality in school discipline: Research and practice to reduce disparities*. New York: Palgrave MacMillan.