ANNOTATED BIBLIOGRAPHY
CLOSING THE SCHOOL TO PRISON PIPELINE

The resources in this annotated bibliography were compiled as part of the August 2022 session of the Racial Justice Training Series co-hosted by the Georgetown Juvenile Justice Clinic & Initiative and the Gault Center based on Chapter 6: Cops in Schools in *The Rage of Innocence: How America Criminalizes Black Youth* by Kristin Henning.

Watch the webinar recording for a full understanding of how these resources can help advocates end the criminalization of Black and Latino youth at school:
https://www.youtube.com/watch?v=H6yJ-3oYh80

The descriptions of the resources are drawn from the linked and cited sources. They are listed in reverse chronological order. Please find the most recent articles at the beginning of each section.

I.   Books

Kristin Henning, Chapter 6: Cops in School in *The Rage of Innocence: How America Criminalizes Black Youth*, Penguin Random House ([2021]).

- In Chapter 6 of *The Rage of Innocence*, Kristin Henning writes about the history behind police presence in schools and the ways Black youth are criminalized at school today.
- **About *The Rage of Innocence*:** Drawing upon twenty-five years of experience representing young people in Washington, D.C.'s juvenile courts, Henning confronts America's irrational and manufactured fears of Black youth and makes a compelling case that the nation's obsession with policing and incarcerating Black America begins with Black children. Unlike White youth, who are afforded the freedom to test boundaries, experiment with sex and drugs, and figure out who they are and who they want to be, Black youth are seen as a threat to White America and denied the privilege of healthy adolescent development. Weaving together powerful narratives and persuasive data, Henning examines the criminalization of Black adolescent play and sexuality, the demonization of Black fashion, hair, and music, and the discriminatory impact of police in schools. The Rage of Innocence lays bare the long-term consequences of racism and trauma that Black children experience at the hands of police and their vigilante surrogates and explains how discriminatory and aggressive policing has socialized a generation of Black teenagers to fear and resent the police.

Monique W. Morris, *Pushout: The Criminalization of Black Girls at School,* The New Press ([2015]).

- Monique W. Morris chronicles the experiences of Black girls across the country whose complex lives are misunderstood, highly judged—by teachers, administrators, and the justice system—and degraded by the very institutions charged with helping them flourish. Painting "a chilling picture of the plight of black girls and women today" (*The Atlantic*), Morris exposes a world of confined potential and supports the rising movement to challenge the policies, practices, and cultural illiteracy that push countless students out of school and into unhealthy, unstable, and often unsafe futures.

II.   Fact Sheets and Policy Reports

State of Student Mental Wellness, **ACLU California Action (2022), Available:**
https://aclucalaction.org/2022/01/new-report-details-student-mental-health-crisis-in-california/

- Findings from student surveys administered in 2020 and 2021 show that student mental health needs are at a crisis level, requiring immediate attention. ACLU California Action and The CSU Center to Close the Opportunity Gap released the first **"State of Student Wellness"** report capturing two years of survey responses from over 1,200 students across 23 counties and 46 California school districts. This report is the first to examine multiple years of student wellness data throughout the pandemic.
- Roughly one-fifth of students (22%) felt they might be traumatized and would not be the same because of the pandemic.
- Over 63% of students reported experiencing an emotional meltdown and 45% of students reported feeling depressed.
- Over half of students reported the need for mental health services in both survey years, with over 22% of students desiring services for the first time each year.
- After more than a year of the pandemic and global shutdown, the 2021 survey found only 17% of students reported an increase in mental health services at their school while the overwhelming majority (83%) did not experience a change in access to services.
- Stigma from both parents and peers prevented students from seeking services along with the limited staffing and disconnection with mental health professionals.
- Decades of underinvestment have contributed to California schools having only one social worker for every 6,000+ students and having the third highest ratio of students-to-school counselors in the nation.

Harold Jordan and Ghadah Makoshi, *Student Arrests in Allegheny County Schools: The Need for Transparency and Accountability* **(January 2022), Available:**
https://www.endzerotolerance.org/student-arrest-report

- This research report finds that student arrests and referrals to police occur more often than are documented by schools. Also, students in Allegheny County are more likely to

be arrested at school than students elsewhere in Pennsylvania. Arrests and referrals fall disproportionately on Black students and students with disabilities.

Allegheny County Student Arrests: Race and Gender
- Black students were arrested at nearly nine times the rate of white students during the 2018-2019 school year.
- The South Allegheny School District arrested Black students at a rate of 1 out of every 13, whereas white students were arrested at a rate of 1 out of every 196.
    - These disparities persisted across all of the school districts within the county, including those with both large and small percentages of Black students.
- Black boys faced the greatest risk of any racial/gender subgroup. In 2018-19, for example, Black boys enrolled in K-12 in Allegheny County were arrested at a rate of 1 out of every 51 compared to 1 out of every 316 white boys.
- Black girls were arrested at a rate of 1 out of every 69 compared with 1 out of every 894 for white girls (this is 14 times the difference).
    - More than half of all arrests of Black girls in the county were school-related. That is the only demographic for which most of the youth arrests were school-related.
- Pittsburgh Public Schools are the largest single juvenile justice referral source for Black girls, accounting for 32% of all referrals of Black girls to the juvenile system in all of Allegheny County.

Arrests: Disability
- Students with disabilities were arrested at nearly three times the rate of students without disabilities.
- Black boys with a disability were arrested at nearly six times the rate of white boys with a disability, while Black girls with a disability were arrested at eight times the rate of white girls.

Punishment in Schools Nationally
- Black students, boys and students with disabilities are disproportionately disciplined in K-12 public schools regardless of the specific type of disciplinary action.
- Black students are the only racial groups for which both boys and girls are disproportionately disciplined across all six major disciplinary categories (out-of-school suspension, in-school suspension, referral to law enforcement, expulsion, corporal punishment and school-related arrest).
- Despite an overall decline in out-of-school suspensions, Black students and students with disabilities are still suspended at rates more than twice as high as white and Latino students and students without disabilities.

Police in Schools
- In Pennsylvania, some school districts require or encourage school officials to notify the police when a broad range of incidents occur, even when state law does not require notification.
- Black students with disabilities are more than 2.5 times as likely to be referred to law enforcement compared to white students with disabilities.

- Police officer's decisions about how to handle a student's misbehavior may be influenced by underlying racial bias which may affect the outcome of the punishment the student receives.
- The high rates of punishment of students with disabilities reflect a choice by some school officials to turn students over to the police as opposed to providing them with appropriate interventions, services, and supports required under federal law. The decision to involve police may be made because of convenience on the part of the school or because needed supports are simply not available in the school.

Offenses That Lead to Arrest in Allegheny County
- Simple assault accounted for 24% of arrests (assaults can be something like throwing a ball at someone and missing or making a motion to hit another student, "flinching." – if these behaviors were directed at a school employee, however, the student would be charged with aggravated assault).
- Drug charges accounted for 18% of arrests (90% were marijuana related).
- Weapons on property (excluding firearms) make up 6% of arrests.
- Actual firearm possession account for only 0.6% of school-level arrests.
- Black boys were arrested at a much higher rate than other students in every charge category (simple assault, drugs, aggravated assault, weapons, gun, sexual offenses, disorderly conduct, harassment, riot, theft, etc.) except simple assault, where Black girls topped that list.
- Black girls also had the highest rate of arrest for simple assault.
- In Pittsburgh public schools, Black students are arrested at more than four times the rate of white students. Students with disabilities are arrested at 2-4 times the rate as those without disabilities.

Policy Reform Ideas and Further Recommendations (for Allegheny County but the ideas overlap with national reform)
- Restrict police involvement in ordinary school discipline (dress code violations, disobedience, theft, fighting, etc.) by not allowing them to enforce low-level behavioral infractions.
- Clarify that Pennsylvania law requires school administrators to notify police immediately **only** when an alleged infraction is on the mandatory list spelled out in the education code. Adopt policies that do not result in an automatic referral to law enforcement if referrals are discretionary.
- Ensure that local school districts require assessments and interventions, as well as implement procedural protections against discriminatory discipline guaranteed by the Individuals with Disabilities Education Act.
- Eliminate the everyday presence of police in school, restricting them to involvement in emergencies and dangerous incidents.
- Reinvest the funds used for police into student support resources, school psychologists, nurses, counselors, and social workers.

Department of Education, *An Overview of Exclusionary Discipline Practices in Public Schools for the 2017-18 School Year* **(2021). Available:** **https://ocrdata.ed.gov/assets/downloads/crdc-exclusionary-school-discipline.pdf**

- This slide deck shows disparities in school discipline practices across the United States.
- Black and Latino students are more likely to be suspended, expelled, and arrested at school.
- Students missed over 11 million days. This disproportionately impacts Black and Latino Students
- More data, including state and district level, is available from the Department of Education's Office of Civil Rights Data Collection: https://ocrdata.ed.gov/

https://ocrdata.ed.gov/assets/downloads/crdc-exclusionary-school-discipline.pdf

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Amir Whitaker, et al., *No Police in Schools: A Vision for Safe and Supportive Schools in CA*, **ACLU Southern California (2021), Available:** **https://www.aclusocal.org/en/no-police-in-schools**.

- *No Police in Schools: A Vision for Safe and Supportive Schools in CA* analyzes data from the U.S. Department of Education's 2017-18 Civil Rights Data Collection (CRDC), the 2019 California Racial and Identity Profiling Act (RIPA) Stops dataset, and data from Stockton Unified School District on police in schools. The data conclusively show harmful and discriminatory policing patterns in schools. School police contribute to the criminalization of tens of thousands of California students, resulting in them being pushed out of school and into the school-to-prison pipeline. Critically, the data suggest that schools underreport the number of assigned law enforcement officers, so these problems are likely even more severe.

Data Snapshot: 2017-2018, National Data on School Discipline and Race **(2021), Available:** **https://genderjusticeandopportunity.georgetown.edu/report/data-snapshot-national-data-on-school-discipline-by-race-and-gender/**

- The Georgetown Law Center on Poverty and Inequality's Initiative on Gender Justice & opportunity and the RISE Research team at New York University has analyzed the US Department of Education's Office of Civil Rights Civil Rights Data Collection for 2017-18 academic year to examine the patterns in discipline in K-12 public schools.
- The analysis reveals widespread discipline disparities by race and gender in all six main categories for which data was collected: rates of suspension, expulsion, arrest, restraints, referral to law enforcement, and transfers to alternative schools for disciplinary reasons.

Daniel J. Losen and Paul Martinez, *Lost Opportunities: How Disparate School Discipline Continues to Drive Differences in Opportunity to Learn* **(2020)**

Available: https://escholarship.org/uc/item/7hm2456z

- This report details the detrimental impact suspensions have on students' opportunity to learn at the national, state, and local school district levels. Recommendations and reform ideas are given in order to decrease school reliance on suspensions for discipline, to mitigate the racially disparate effects of school discipline, and to increase learning.

Immediate Negative Impact from Suspensions (National data measuring loss of instruction time for each racial/ethnic groups across grades K-12).
- Missing three or more days of school before taking the National Assessment of Education Progress in 4th grade reading was associated with the loss of a full grade level (2).[1]
- School suspensions account for approximately one-fifth of the difference in school performance between Black and white students.[2]
- The 2015-2016 school year yielded 11 million days of lost instruction due to out-of-school suspensions.
- At the secondary school level, Black students lost 103 days of instruction per 100 enrolled; for white students the rate was 21 days lost per 100.
- At the elementary school level, Black students lost 20 more days of instruction than white students per 100, and across K-12, the Black-white difference was 51 days.

Racial Disparities Disaggregated by Gender Stemming from Suspension
- At the secondary level, Black boys lose 132 days of instruction time per 100 students enrolled in comparison to only 32 per 100 for white students. This large disparity is four times the difference.
- Black girls have the second highest rate at 77 days of lost instruction time per 100. Seven times the rate of lost instruction experienced by white girls at the secondary level (11 days per 100).

Disabilities
- Secondary students with disabilities in North Carolina, Tennessee, Virginia, Delaware and Missouri lost between 119 and 137 days per 100 students enrolled.
- In all 50 states, students with disabilities lost more instruction than their nondisabled peers.

State Level Black-White Differences in Loss of Instruction Time (a helpful chart is included that maps out the disparities in loss of instruction time for every racial/ethnic group per state for the 2015-2016 school year) (page 8-9).
- In Missouri, Black students lost 162 more days than white students.

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[1] Alan Ginsburg et al., *Absences Add Up: How School Attendance Influences Student Success*, San Francisco, CA: Attendance Works (2014). https://www.attendanceworks.org/wp-content/uploads/2017/05/Absenses-Add-Up_September-3rd-2014.pdf.

[2] Edward W. Morris & Brea L. Perry, *The Punishment Gap: School Suspension and Racial Disparities in Achievement*, 63 Social Problems 68–86 (2016) (This study is included above in the Empirical Research section of this bibliography)

- In New Hampshire, Latino students lost 75 more days than white students.
- In North Carolina, Native American students lost 102 more days than white students.

Local School Districts (each had loss of instruction time rates that exceeded a year's worth of school – over 182 days per 100 students).
- 416 days per 100 students in Grand Rapids, Michigan.
- 352 days per 100 students in Richmond City, Virginia.
- 320 days per 100 students in Buffalo, New York.
- 276 days per 100 students in Youngstown, Ohio.
- 250 days per 100 students in Little Rock, Arkansas.

National Data on Loss of Instruction Time at Alternative (Behavior/Continuation) Schools
- Black boys lost 235 days per 100 students; Black girls lost 156 days per 100 students
- Boys with disabilities lost 170 days per 100 students; girls with disabilities lost 94 days per 100 students.
- White boys lost 109 days per 100 students; white girls lost 48 days per 100 students

Recommendations/Reform Ideas
- Eliminate the use of out-of-school suspensions and expulsions for lower-level offenses and reduce the length of suspensions for other moderate and serious offenses.
- Prioritize and pursue nonpunitive strategies – alternatives that teach responsibility, enhance social and emotional learning and help students improve their conduct. These alternatives should include trauma-informed, restorative, and culturally responsive practices that emphasize remedying root causes.
- Teaching educators about the impact of exclusionary discipline along racial, gender and disability lines may help discourage the use of suspensions and reduce their length when used which will help diminish their disparate impact.
- Consider supporting teacher training designed to improve teacher-student engagement. An improvement in the quality of relationships between teachers and students has been associated with a reduction in suspensions and their racially disparate impact on educational opportunity.

Federal Law & Policy Recommendations
- The current administration should reinstate the U.S. Department of Education and U.S. Department of Justice's 2016 guidance on school discipline to inform state and local efforts to eliminate the discriminatory use of exclusionary discipline policies.
- Once the guidance is reinstated, these two enforcement agencies should review the data for districts with large disparities in rates of lost instruction, as well as high and disparate rates of referrals to law enforcement, and intervene as appropriate.
- Congress should increase funding to federal civil rights enforcement agencies to increase their capacity to conduct the suggested reviews and interventions.
- Congress should provide federal funding to states and districts to encourage training of teachers and administrators to implement more effective alternatives to punitive and exclusionary forms of school discipline, and to ensure that there are sufficient support

personnel to address the needs of students with disabilities as well as students with mental health needs, including youth who have experienced trauma.

State Law & Policy Recommendations
- Create incentives for districts to reduce the use of suspensions.
- State boards of education should review and revise the statewide accountability plan and make school discipline one of the additional nonacademic indicators for district accountability. In California, for example, any district that suspends over 6% of the enrolled student body is flagged as needing improvement, and the state then offers technical assistance.
- State legislators should limit the use of suspensions to ensure that minor misconduct is not met with disciplinary exclusion from school. California, Texas, Ohio, and Connecticut all have passed legislation limiting the use of suspension for minor misconduct.
- State policymakers should eliminate the use of federal, state, and local funds for school police and/or security staff and encourage the elimination of police involvement in addressing routine school discipline. When practicable, funds delineated for police and security should be redirected toward direct supports for students, teachers, and administrators.

Local Policy Recommendations
- Have school boards conduct a public review and discussion of discipline disparities at least twice each year at school board meetings, including the amount of lost instruction due to discipline and the resulting disparities. For districts in which suspensions are frequent and disparities are wide, they should develop an action plan with specific goals for implementation informed by input from the community members most affected.
- Require that all suspensions over a certain length be subject to review and approval by the district's central office to ensure that disparate patterns are noticed and that lengthier suspensions are justified in light of the educational purpose.
- Decriminalize disorderly conduct and other nonviolent and non–drug-related behavior so that school behavior incurs school-based responses.

Uma Nagarajan-Swenson & Cecelia Scheur, *Get Cops Out of Schools: A Factsheet*, Institute for Policy Studies (2020).

- 1.7 million students are in schools patrolled by police officers, but with no counselors; three million students attend schools with officers but no nurses; six million students attend schools with officers but no school psychologists, and ten million students are in schools with officers but no social workers.
- Out of 2.6 million total out-of-school suspensions in the 2015-16 school year, 40.6% were Black students and 31.7% were white students.
- Within the public school system, Black students make up 15.4% and white students make up 48.9%, but despite making up only 15.4% of students in the public school system,

Black students are 4 times more likely to be suspended than white students, and are 3.5 times more likely to be arrested in school than white students.

- Schools employing school police see increases in reported student offenses and school-based arrests by as much as 400 percent.
- Black students are three times more likely than non-Black students to attend a school with more security staff than mental health personnel.
- In North Carolina, Iowa, and Michigan, Black girls were more than 8 times as likely to be arrested than white girls. According to the same study, Black girls are arrested at 4 times the rate of white girls nationally.
- Students with disabilities account for more than 67% of all students placed in seclusion, involuntary confinement, or physical restraint at school.
- Students at schools with higher relative suspension rates were 15-20% more likely to be arrested later in life.
- A 2020 study from the National Black Justice Coalition found that 44.7% of Black LGBTQ+ youth had experienced some form of discipline, either detention, suspension, or expulsion.

Center for Civil Rights Remedies, *The Striking Outlier: The Persistent, Painful and Problematic Practice of Corporal Punishment in Schools* **(June 11, 2019) Available: https://www.civilrightsproject.ucla.edu/news/press-releases/press-releases-2019/the-striking-outlier-the-persistent-painful-and-problematic-practice-of-corporal-punishment-in-schools**

- Children attending the small percentage of the nation's public schools that allows corporal punishment face a much greater likelihood of being struck than previously understood, with Black students and students with disabilities among the most likely groups to be struck.
- The report found that at least one in every 20 children attending schools that practice corporal punishment were struck in 2013-14 and 2015-16. Black girls were more than three times as likely to be struck as white girls (5.2 percent vs.1.7 percent) during the 2013-14 school year. Black boys were nearly twice as likely as to be struck as white boys (14 percent vs. 7.5 percent).
- Approximately 19 states still permit corporal punishment.

Amir Whitaker, et al., *Cops and No Counselors: How the Lack of Mental Health Staff is Harming Students***, ACLU (2019) https://www.aclu.org/report/cops-and-no-counselors**

- The U.S. Department of Education recently required every public school to report the number of social workers, nurses, and psychologists employed for the first time in history. Data about school counselors had been required previously, but this report provides the first state-level student-to-staff ratio comparison for these other school-based

mental health personnel, along with school counselors. It reviews state-level student-to-school-based mental health personnel ratios as well as data concerning law enforcement in schools. The report also reviews school arrests and referrals to law enforcement data, with particular attention to disparities by race and disability status. A key finding of the report is that schools are under-resourced and students are criminalized.

Daniel Losen and Amir Whitaker, *11 Million Days Lost: Race, Discipline and Public Safety at U.S> Public Schools,* **ACLU (2018), Available: https://www.aclu.org/schooldiscipline**
- Students missed over 11 million days and Black students accounted for 40% even though 15% of students. Suspensions account for 20% of achievement gap.
- This descriptive summary of new state and national level data demonstrates the disparate impact of harsh discipline on educational opportunity, as well as raises several concerns including the adequacy of resources used for school personnel that can improve school climate and possible misunderstandings of school safety issues. Specifically, this snapshot highlights new data showing the days of lost instruction resulting from the use of suspension. Unlike all prior reports, these data are not estimates but based on the actual reports from nearly every public school in the nation. It provides vital information to parents, students, educators, advocates, researchers, policy makers and others interested in the impact of discipline disparities on educational equity and opportunity.

Emily Morgan et al., *The School Discipline Consensus Report: Strategies from the Field to Keep Students Engaged in School and Out of the Juvenile Justice System*, **The Council of State Governments Justice Center (2014).**

- This report holds the work of hundreds of experts across several fields. It draws on a thorough review of relevant literature and research, group discussions, feedback from experts across the nation, and multidisciplinary forums, and culminates in some of the most innovative strategies from the fields of education, health, law enforcement and juvenile justice. The central thesis of this report prescribes that a reduction in the number of students suspended, expelled, and arrested, and the creation of schools that provide conditions for learning wherein all students feel safe, welcome and supported, must be precipitated by a positive school climate, tiered levels of behavioral interventions and a partnership between education, police, and court officials that are dedicated to preventing youth arrests or referrals to the juvenile justice system.
- Students who disengage from school or feel that the school has given up on them, are more likely to become truant, drop out entirely, or act out in ways that place them at risk for disciplinary action.
- Although states have laws that require student removal for certain offenses, relatively few removals occur each year as a result. For example, a Texas study found that just 2.5% of all high school suspensions and expulsions were the result of misconduct for which state

law mandated the removal of the student from the campus.[3] The vast majority of suspensions actually occur at the discretion of school officials.

- Students of color are disproportionately more likely to experience exclusionary discipline for discretionary offenses.
- Students of color also are more likely to receive a harsher punishment for the same discretionary offense than their white peers.
- LGBT students are three times more likely to experience harsher forms of discipline than their heterosexual peers.
- Students who are subjected to forms of exclusionary discipline are less likely to graduate high school, and the likelihood decreases with every subsequent disciplinary action.
- If students are suspended from school in 9th grade, they are at considerably greater risk of dropping out of school altogether.
- Suspensions can contribute to absenteeism and therefore a student's chances of academically falling behind their peers.
- Students who experience exclusionary discipline are more likely to become involved in the juvenile justice system.
- Research shows that youth who have had traumatic experiences tend to have more difficulty regulating their own behavior and emotions, impulsivity and defiance, which can greatly affect their classroom behavior and academic outcomes.[4]

Note: Each of the following sections include dozens of examples of school districts across the nation who have responded to the various concerns and ideas illustrated in this report.

Conditions for Learning – positive school climates are associated with several positive outcomes: a decrease in incidents of school violence, increases feelings of safety from students and teachers alike, higher academic achievement, consistent student attendance, higher levels of student engagement and a stronger student attachment to the school. The following is a list of policy recommendations aimed at creating a positive school climate:

- Ensure that relationships between students and teachers are grounded in respect and trust.
- In partnership with students, develop shared behavioral expectations with teachers modeling appropriate behavior, communicating expectations clearly, enforcing them consistently and applying them equitably.
- Schools must involve family and community members through meaningful opportunities to participate in school-based activities.
- Engage students through instructional practices that are evidence based, student centered and grounded in a real-world context.
- Address physical facility conditions and school security procedures to ensure schools are safe and feel secure while also being welcoming and orderly (police, metal detectors,

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[3] Fabelo et al., *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*, Council of State Governments Justice Center (2011)
[4] Massachusetts Advocates for Children, *Trauma and Learning Policy Initiative, Helping Traumatized Children Learn: A Report and Policy Agenda*, Massachusetts Advocates for Children: Trauma and Learning Policy Initiative (2005).

cameras, barred windows, lockable doors etc. Students tend to report that some of these security measures create a negative school climate).

- Recalibrate student code of conduct with involvement from student, families and educators to ensure that disciplinary policies will address their diverse concerns.
- Design a graduated system of developmentally appropriate responses to misconduct that keeps students in school whenever possible, addresses the harm caused, and considers the factors that may contribute to the problem, while encouraging students to take responsibility for changing their behavior (i.e., restorative justice, social and emotional learning (SEL), Positive Behavior Support (PBS) etc.).
- Create a space on the school campus for students who are receiving disciplinary actions to go where they can continue to be engaged in instruction and receive social, emotional, and behavioral supports as needed (i.e., try not to remove students from the learning environment. A disciplinary environment can still provide a space to learn and it should).
- Provide teachers with professional development training and the necessary support to repair fractured connections and build positive connections with students.
  - Positive student/teacher relationships can be created by teachers learning the names of their students, encouraging and supporting student-organized clubs, identifying students who have no established relationships with teachers and school staff and then take steps toward building a rapport with them, learning personal aspects of the students' lives by having regular conversation and actually showing interest in the student beyond that of an educator.

Behavioral Interventions – Students across the country have a range of behavioral health needs that can vary significantly in both type and severity. Whether a child is afflicted with a diagnosable mental health disorder, or whether a child is coming from an impoverished home or the child welfare system, each child deserves to attend a school that is responsive to their individual health issues.

- Schools should create an early warning data system (EWS) to identify students in need of targeted and intensive academic and behavioral supports, including interventions that can help prevent disciplinary actions (this data should not be used to label, segregate, isolate or push students out of their classrooms, but instead to intervene, to prevent students from doing back or facing other negative academic consequences).
- Require school district employees to analyze and use EWS data to guide decision making in the classroom.
- Ensure that each school's student support staff are responsive to the individual needs and diverse characteristics of the school's student body (school psychologists, social workers, guidance counselors, nurses, mental health clinicians, medical interns, tutors, mentors).
- Develop partnerships with external providers to deliver behavioral health and related services to individual students (colleges, community-based health clinics, health professionals, substance abuse treatment clinics, faith-based organizations).
- Provide all students removed from school for short-term disciplinary violations with an alternative education option that affords continuity in learning and any needed behavioral

health supports as well as mechanisms for fully reintegrating the students back into the traditional school environment

- Provide a school staff member to serve as a liaison between the teachers and suspended students
- Provide suspended students with daily classwork and assignments
- Incorporate a restorative justice-based follow-up where the suspended student has an opportunity to discuss the situation that led to their suspension, share their thoughts and feelings on the matter and achieve some level of closure.

School-Police Partnerships – school-based officers should be used with one goal in mind, to help schools provide safe and nurturing environments that promote student-wide academic success and reduce behaviors that put them at risk for juvenile justice involvement.

- Draft policies that clearly define officers' roles and the criteria for when to engage police in non-emergency situations (policies should not only define officers' roles but also the disciplinary roles of school administers so that there is no possible confusion; as early as 2013, several school districts have begun to include these clearly defined roles in their codes of conduct, i.e., Baltimore City Public Schools, Buffalo Public Schools, Chicago Public Schools, San Diego Unified School District) (217-218).
- Train teachers, school staff and police about when to directly involve officers with student misconduct and about available alternatives to arrest (it must be clear to all officers and school staff under what conditions these alternatives can be used)
- Schools should employ officers who are committed to maintaining safety while promoting a supportive learning environment and helping reduce youth risk for involvement in the juvenile justice system.
  - Hiring processes should include a clear set of criteria to ensure that officers who are placed in schools have the appropriate background, experience and interest in carrying out the responsibilities of the position and interest in working with youth in the age range of the school.
  - An officer's cultural competence, motivation, temperament and possible ties to the community should also be taken into consideration during the hiring process.
- Ensure that school officers receive appropriate training on school policies, practices and working with youth in a school setting.
  - Training should go well beyond the required Peace Officer Standard Training (POST) for sworn officers, but also incorporate several tens of hours of training specific to working in schools and working with youth.

Harold Jordan et al., *Beyond Zero Tolerance: Discipline and Policing in Pennsylvania Public Schools***, ACLU Pennsylvania (2015), Available:** **https://www.aclupa.org/en/publications/beyond-zero-tolerance-discipline-and-policing-pennsylvania-public-schools**

- In Pennsylvania, as around the nation, zero tolerance took on a life of its own. Particularly over the last 15 years, it infected the culture of schools so that an even broader range of behaviors and conflicts, like school uniform violations or talking back to adults, became the basis for removal from school, even when removal was not required by law. Originally published in November 2013, this 2015 updated report explains zero tolerance and why there needs to be reform.

III.   Empirical Research Articles

Juan Del Toro, Dylan B. Jackson, and Ming-Te Wang, *The Policing Paradox: Police Stops Predict Youth's School Disengagement Via Elevated Psychological Distress,* **Developmental Psychology 1 (2022).**

Purpose
- To examine whether police stops may lead youth to greater school disengagement the next day.

Methodology
- Data come from 387 adolescents (40% male, 32% Black, 50% White, and 18% other ethnic-racial-minority; 69% qualified for free lunch) from eight public middle and high schools in the Mid-Atlantic region of the United States. Most students attended predominantly Black schools. In the counties where the schools are located, Black youth were referred to court at higher rates than Black youth nationally. The rate of police officers in the schools had doubled from 2015 to 2019.
- In the fall and spring semesters of the 2019-2020 academic year, researchers invited all students from the eight schools to participate in two waves of daily diaries. Students were given information about the study and had the option to choose whether or not to participate. Parents also consented.
- The two waves added up to 35 days (i.e., Wave 1: October 28, 2019 to November 17, 2019; Wave 2: March 2, 2020 to March 15, 2020). In each day, students completed online daily diaries between 5pm and 12am and received two to four daily reminders via email or text to complete these.
- Each day, adolescents were asked a single question to identify whether the police had stopped them. To characterize the nature of the police stops, they were asked a set of questions from the Police Intrusion Scale (e.g., "Did the police frisk or pat you down?"). Researchers summarized and scored these results with a higher score equaling greater police intrusion.
- Adolescents were asked four questions about their behavioral disengagement from school that day, including: "I skipped school or cut class," "I stayed focus in school today" (rated 1 = not at all to 5 = very much).

- Adolescents were also asked to self-report their anxiety, depressive symptoms, and anger (i.e., "How often did you feel anxious today?" "How often did you feel depressed or sad today?" "How often did you feel angry today?").

Results
- Adolescents who were stopped by the police reported enhanced next-day psychological distress, which in turn predicted increased school disengagement.
- Overall adolescents who were stopped by police reported more school disengagement than youth who were not stopped by police. In addition, youth who were stopped by police reported more next-day school disengagement relative to their own average (meaning they were less engaged with school than was typical for them specifically).
- Youth's school disengagement did not predict next-day police stops.
- Both Black and other ethnic-racial minority youth reported more police intrusion than did their White peers.
- The effect of police stops on next-day psychological distress was stronger for other ethnic-racial minority youth than for their Black and White peers, who did not differ between each other. Nonetheless, the effect of police stops on psychological distress and school disengagement was negative for all ethnic-racial groups.

Amanda Geller & Nicholas Mark, *Student Absenteeism and the Role of Police Encounters,* **21 Criminology & Public Policy 893 (2022).**

Purpose
- To assess associations between adolescent police contact and several measures of school absenteeism.

Methodology
- Data were drawn from the Fragile Families and Child Wellbeing Study (FFCWS), following a cohort of nearly 5000 children born in 20 large cities.
- Researchers followed up with families throughout the child's life from ages 1, 3, 5, 9 and 15.
- The primary measure of police contact was a youth self-report of having been stopped, followed by additional questions about their experiences (ie. age at stop, number of stops, location of stop, and details of their most memorable encounter).
- Researchers also measured levels of intrusion during stops: whether the officer frisked youth, handcuffed or searched them, threatened them with physical force, or used harsh language/racial slurs.
- To measure absenteeism, the study used both youth self-reports and caregiver reports when they were age 15. Youth were asked to report the number of days in the current or previous school year they missed due to illness and from skipping school.

Results

- Youth stopped by police missed approximately 2.2 more days of school than their never-stopped counterparts, 1.4 days for health reasons and 0.8 days skipped.
- Students stopped by police were also roughly 10 percentage points more likely to have their caregiver discuss absenteeism at a parent-teacher conference.
- Students who reported intrusive police contact missed more than 2.3 days more than students who were never stopped, and were 15% more likely to have a teacher discuss absenteeism at a parent teacher conference.

Desmond Ang, *The Effects of Police Violence on Inner-City Students*, 136 Quarterly Journal of Economics 115-168 (2021).

Purpose
- To document the short and long-term consequences of officer-involved killings on the educational and psychological well-being of inner-city youth.

Methodology
- The unnamed "County" where Ang's data is pulled from experiences some of the highest per capita rates of officer-involved killings among large cities.
- The author combines two sets of data: (1) detailed incident information on the timing, location and circumstances of every officer-involved killing in the County from 2002 to 2016; information includes the name, age and race of the deceased (there were over 600 such killings during that time period); (2) home addresses and individual-level panel data for all high school students enrolled from 2002-2016 in a large urban school in the Southwest (the "District" is either adjacent to or within the "County" – this was unclear).
- Out of the officer-involved killing data, 52% of the victims were Hispanic, 26% were Black, 19% were white and 3% were Asian. The average age of death was 32-years-old; only 10% of the deceased were of public-school age and of those none were current students.
- The vast majority of the killings included in the data received relatively little or no media coverage at all (only 22% of the killings were ever mentioned in any of the local newspapers).
  - In fact, only two of the included incidents generated media coverage near that of recent nationally-reported killings near the time of the article.
- Regardless of the race and age of the suspect/victim, the officers involved were rarely prosecuted. Of the 600+ incidents analyzed, only one case was pursued by the district attorney.
- The student data set involves information from over 700,000 students (race, gender, age, parental education, home language, free/subsidized lunch, attendance, 8th grade proficiency test scores and GPA are all included).
  - 86% of students identify as either Black or Hispanic while 14% are white or Asian. 69% qualify for free or subsidized lunch and fewer than 10% have college educated parents. 40% of the students demonstrated basic or higher levels of

proficiency on 8th grade tests. The District's Black students reside primarily in urban areas whereas the white and Asian students tend to live in more affluent areas. The Hispanic students are scattered throughout the County.

- Educational attainment is measured by high school graduation (defined by a high school diploma or equivalent) and college enrollment.
- Data also includes information concerning student mental health.
- To identify the exposure of police-involved killings to students, the author compared changes in exposure over time among students who lived close to a police-involved killing to students who lived slightly further away but in the same neighborhood. This ensured that the two groups came from similar backgrounds and were likely exposed to similar local conditions except for the killing itself.
- To determine if student attendance is affected by exposure to police-involved killings, the researchers recorded absenteeism for the week before and the week after a police-involved killing.

Results

- Following police-involved killings, student GPA decreases by 0.04 points in the semester of the killing and 0.08 points in the following two semesters (this holds true for 9th – 12th graders; this is for Black and Hispanic students only – exposure to police killings has no impact on white and Asian students according to the study).
  - Black and Hispanic students remain affected the same by police-involved killings even if their demographic is similar to that of the white and Asian students the author sampled, i.e., college educated parents, living in the same area, same socioeconomic bracket, etc.
  - Effects gradually dissipate reaching insignificance five semesters after exposure. However, if students drop-out relatively soon after exposure to a shooting, then that presents a larger issue.
- The largest decreases in student GPA come when a student is exposed to police violence in which one of their peers dies (a victim of the same race, age, gender). This is likely because a majority of those in the Black and Hispanic community harbor a strong mistrust of police and feel their community is unfairly treated by law enforcement.
- Exposure to homicides in general, and not necessarily police-involved killings, lead to a three semester drop in GPA. According to the research, however, exposure to police-involved killings appear to be more detrimental to the student.
- Students exposed to police violence are significantly more likely to be classified as emotionally disturbed (ED) in the following semesters.
  - Students with ED are 50% less likely to graduate
- Decreases in GPA may be driven in part by psychological trauma.
- Students exposed to police violence not only suffer from decreased GPA for several semesters, but are also significantly less likely to graduate from high school or attend college.
- The author suggests that nearly 2,000 students from the sample dropped out of high school due to exposure to police-involved killings.

Katharine H. Zeiders et al., *Police Discrimination Among Black, Latina/x/o, and White Adolescents: Examining Frequency and Relations to Academic Functioning,* **90 Journal of Adolescence 91 (2021).**

Purpose
- To understand the impact and frequency of police discrimination on youth, and more specifically its negative association with academic outcomes.

Methodology
- Data came from a larger project, surveying high school students, focused on adolescent well-being and ethnic-racial identity. 1,378 adolescents were included in the study.
- The Adolescent Discrimination Distress Index (ADDI) was used to assess police discrimination based on race in the past year (on a scale ranging from 0-6).
- A 6-item Academic Behavioral Engagement Scale was used to assess youths' academic success. Answering on a scale of 0 (never) to 4 (all the time) prompts "I pay attention in class" or "I try hard to do well in school."
- Academic grades were also measured on a survey response basis.

Results
- 23.6% of Black youth and 19.6% of Latina/x/o youth experienced at least one instance of police discrimination in the last year; only 2.9% of White youth reported this type of experience.
- Greater police discrimination related to lower academic engagement among all youth.
- Greater police discrimination related to lower academic grades among all youth.
- Because Black and Latina/x/o youth are more likely to experience discrimination, they are also more likely to experience corresponding academic impacts.

Mark J. Chin et al., *Bias in the Air: A Nationwide Exploration of Teachers' Implicit Racial Attitudes, Aggregate Bias, and Student Outcomes*, **Educational Researcher (2020).**

Purpose
- To determine the extent that teachers' implicit racial biases affect students

Research Questions
1. How do teachers' implicit racial White/ Black biases vary across the United States? Do individual characteristics correlate with teacher implicit bias? Do contextual variables (e.g., racial composition and average socioeconomic status) or instructional variables (e.g., racial differences in student/teacher ratios) correlate with teachers' implicit biases?

2. Does county-level implicit and explicit White/Black bias (pooling teachers and nonteachers) correlate with racial disparities in test scores or disciplinary outcomes? Does teacher county-level bias correlate with such disparities?

Methodology

- *Project Implicit*, an archive of Internet volunteers who visited the *Project Implicit* website and took the White/Black Implicit Association Test (IAT) during the years of 2008 and 2016, was a key data source for this research study. This data overlapped with the study's student outcome data.
    - The data included the volunteers' scores on the test, their responses to questions concerning explicit racial attitudes, demographics and their occupation.
- The IAT provides scores illustrating how much more strongly a respondent associates "African American" negatively and "European American" positively and vice versa.
    - Positive scores indicate an implicit preference for European Americans and negative scores indicate the reverse.
- For measuring explicit bias, *Project Implicit* uses a "feeling thermometer" that measures the "temperature" of respondents' feelings toward particular racial groups.
- Student test score data was pulled from the *Stanford Education Data Archive* (SEDA) which recorded scores from school districts across the country from 2008 to 2016.
    - For this study, researchers used estimates of the difference in test scores between white and Black students, aggregated across grades, subjects and school years.
- The last data set comes from the *Civil Rights Data Collection* (CRDC) which was gathered by the Department of Education.
    - The CRDC collects data concerning school enrollment by race/ethnicity, along with statistics of students who received at least one in-school or out-of-school suspension over the 2011-2012, 2013-2014 and 2015-2016 school years.
- Researchers then aggregated these numbers to the county level over the three school years, then merged the county-level suspension data with (a) county-level bias data from *Project Implicit* and (b) the county-level covariates from SEDA.

Results

- Black students are more than twice as likely to receive one or more suspensions (either in-school or out-of-school) than white students in the average county.
- For in-school suspensions, the rates are 14% and 6%, respectively, and for out-of-school suspensions, they are 13% and 5%.
- Higher levels of explicit and implicit bias are associated with in and out-of-school suspensions differentially for white students and Black students.
- White/Black disciplinary gaps are larger among counties with higher levels of bias. This appears to be driven by greater probabilities of suspensions for Black students in counties with stronger bias and not necessarily by lower probabilities of suspensions for white students.
- In counties where teachers harbor stronger preferences for white students ultimately yield larger white/Black disciplinary gaps.
- Implicit white/Black biases vary depending on teacher gender and their race/ethnicity, i.e., female teachers are slightly less biased than male teachers and teachers of color appear less biased than white teachers.
- In counties with higher levels of pro-white/anti-Black bias among teachers, there tended to be larger Black/white disparities test scores and suspensions.

Scott Crosse et al., *Investigator-Initiated Research: The Comprehensive School Safety Initiative Study of Police in Schools* (March 2020). Available:
https://www.ojp.gov/library/publications/study-police-schools-final-summary-overview

- This study found no evidence to suggest that increasing the dosage of SROs via CHP grants to local law enforcement agencies reduces school crime. Instead, consistent with prior research, it found that the intervention increased measures of school crime – particularly for weapon and drug-related offenses.
- It also found clear evidence that increasing SRO staffing levels results in increased exclusion from school in response to disciplinary infractions. Increases in offenses and exclusionary reactions to offenses were most evident for students without special needs as opposed to students with special needs, schools in urban/suburban as opposed to town/rural locations, and for black and Hispanic as opposed to white students.
- This study provides more and stronger evidence to support the idea that placing SROs in schools results in excluding students from school, and that this punishment falls disproportionately on minority students.

Benjamin Fisher et al., *School Climate, School Discipline, and the Implementation of School Resource Officers* (2020), Available: https://www.ojp.gov/library/publications/school-climate-student-discipline-and-implementation-school-resource-officers

- The data analyses showed that implementing SROs had mixed relationships with school climate outcomes. These relationships depended on the particular dimensions of school climate that were measured, the race of the respondents, and measures of school context.
- Additionally, implementing SROs was associated with decreases in suspension rates of White students, but not overall suspension rates, suspension rates of Black students, or Black-White racial disparities in suspension rates. Notably, these relationships were each contingent on measures of school context. All of the quantitative analyses should be interpreted with caution, however, given that there were only a small number of schools that implemented SROs during the time covered by the data."

Amy G. Haberstadt et al., *Racialized Emotion Recognition Accuracy and Anger Bias of Children's Faces,* Emotion (2020).

Purpose
- To determine whether implicit bias impacts adults' accuracy in recognizing the emotions on children's faces and whether adults are more likely to see Black children as angry versus their white peers.

- Researchers were particularly interested in whether teachers' implicit bias was linked to misperceptions of anger in Black youth, as this may be a possible cause of school discipline disparities.

Methodology
- Participants were 178 prospective teachers from southeastern universities. The sample was 89% female, 70% white, 9% Hispanic, 8% Asian, 6% Black.
- Researchers showed participants short video clips of children demonstrating facial expressions of six different emotions (angry, happy, sad, afraid, surprise, and disgust) developing from low intensity to moderate intensity of expression. The children pictured were ages 9-13 and equally divided between male/female and Black/white. Participants were asked to use their best judgment to determine the emotion depicted in each face.
- Participants also took an explicit bias test and an implicit bias test.

Results
- Both Black boys and Black girls were inaccurately seen as angry more often than white boys and white girls.
- Higher levels of either implicit or explicit bias did not increase odds of Black children being victim to anger bias, but instead decreased odds that white children would be misperceived as angry.
- Participants more accurately identified emotions (other than the anger bias described above) in white girls' faces than Black girls, and surprisingly were more accurate in determining Black boys' emotions (again, other than anger bias) than white boys. Participants' own implicit and explicit bias did not predict emotion recognition accuracy.

Relevance
- Adults are more likely to inaccurately perceive anger on Black children's faces.
- Implicit bias may cause teachers to extend privileges to white children that they do not afford to students of other races.
- Misperceiving anger on Black children's faces can help explain findings that Black students receive more frequent and harsher disciplinary actions than non-Black students (even when their behavior is the same).

Emily Homer & Benjamin W. Fisher, *Police in Schools and Student Arrest Rates Across the United States: Examining Differences by Race, Ethnicity, and Gender*, **19(2) J. Sch. Violence 192-204 (2020).**

Purpose
- To examine the impact of school police presence on student arrests and to determine if this relationship differs by student race/ethnicity and gender.

Methodology
- Data included school-level data from the U.S. Department of Education's Office for Civil Rights (OCR) representing public K-12 schools nationwide.

- Items that were collected include total enrollment, enrollment for each group (minorities by race/ethnicity, sex, and disability), school demographics and data on student discipline and arrests (these items come from OCR's Civil Rights Data Collection – CRDC).
- Dependent variables for the study consisted of the arrest rates per 1,000 students for (a) the entire student body; (b) white students; (c) Black students; (d) Hispanic/Latino students; (e) boys; and (f) girls. Raw counts were divided by the school enrollment and multiplied by 1,000 to create a standardized rate per 1,000 students.
- The key independent variable (i.e., the focal independent variable) is an indicator of police presence in the school.
- Several variables from the CRDC were used to control for student behaviors and school conditions that might also explain differences in student arrest rates between schools with and without police.
- Because researchers were unable to randomly assign police to schools, there may be systematic differences between schools with and without police that may also affect schools' arrest rates. To reduce the impact of selection bias and maximize the similarity between schools with and without police present, researchers used propensity scores in some of their models. Propensity scores represent the likelihood of a given observation receiving an intervention – in this case, police presence – and function as a single composite score that reflects the relative contribution of each variable used in the calculation of the propensity score itself.
- To calculate propensity scores, researchers ran a logistic regression model predicting police presence using the full set of control variables and generated a propensity score for each school that represented the likelihood of that school to have a police presence given their values on each of the variables included in the logistic regression model.
- To examine the relationship between police presence and student arrest rates, researchers took two approaches: (1) they estimated a series of path models where each arrest rate (i.e., total, white, Black, Hispanic, male, and female) was modeled as an outcome predicted by a set of independent variables including the full set of control variables and the propensity score. These path models allowed researchers to test whether the relationship between police and arrest rates differed across Black, white, and Hispanic students, and male and female students; (2) researchers used propensity score matching to match schools with police to schools without police.

Results
- Nationally, police presence in schools is associated with a higher arrest rate for all students, but the extent of this relationship varies by student demographic.
- Police in schools equated to an additional arrest of 1.22 Black students, but only 0.38 of white students per 1,000 students.
- This study found no significant differences in the relationship between police presence and the arrest rates of white and Latino students.
- Schools with a greater proportion of students of color were more likely to have students arrested in schools with police. These schools also had higher exclusionary discipline rates.

- The association between arrest rate and police presence was considerably higher for Black than white or even Latino students. This may be because school police and others who are responsible for determining student discipline (deans, teachers, hall monitors) may be acting on their own implicit bases in their decisions to discipline students.
- Inherent biases on behalf of school personnel affect the interpretation of others' behaviors and may affect their response to students.
- Teachers who were told to expect misbehavior among students focused their attention on Black boys more often than other student groups.
- Researchers cite one study that suggested people consider Black boys are being older and less innocent than their same-age white peers.
- Police presence in schools is associated with higher arrest rates for boys compared to girls, perhaps supporting prior research that schools and police use arrest as a social control mechanism more often for boys.
- Black boys who had been arrested as juveniles were significantly more likely to be rearrested in their mid-20s than either white boys who had been arrested as juveniles or Black boys who had not been arrested.
- In order to disrupt the racial disparities in student arrests, researchers suggest that schools employ evidence-based alternatives to arrest such as restorative practices; family treatment groups; and programs that offer social and psychological interventions benefitting students, their family, communities, and victims.
  - Increasing mental health resources may introduce children to adults who can serve as role models; listen to them; and help them to understand how to recognize stressors, process trauma, and regulate their emotions.
  - Educating school officials on trauma-informed approaches
  - Providing school personnel with diversity and cultural awareness training

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Agustina Laurito et al., *School Climate and the Impact of Neighborhood Crime on Test Scores*, 5(2) RSF: Russell Sage Found. J. Soc. Sci., 141-66 (2019).

Purpose
- To determine if school climate ameliorates or exacerbates the impact of neighborhood violent crime on academic test scores.

Methodology
- Researchers used three sources of administrative data:
  - Crime data from the New York Police Department on daily violent crime that occurred in New York City between 2004 and 2010.
  - Student records from the city's Department of Education. This data set contains student demographic information such as race/ethnicity, gender, participation in special education, and evidence of free or reduced-price meals. It also includes test scores on English Language Arts (ELA) and mathematics standardized tests.

        o   To measure school climate, researchers used student answers to the Learning Environment Survey (LES) collected by the New York City Department of Education.

- The survey used in this research is administered annually to students in grades 6 to 12. The sample analyzed consisted of 16,146 sixth through eighth graders from 533 schools during the academic years of 2006-2007 and 2009-2010. The sample was restricted to students living in high poverty areas who were exposed to violent crime within one week of their ELA test.
- To measure school climate, researchers reviewed the LES, identifying four dimensions of school climate as important determinants of student outcomes: (1) safety, (2) disorder, (3) sense of community, and (4) disciplinary environment.
- Researchers compared students exposed to violent crime within the week prior to their ELA testing date with otherwise similar students exposed to violent crime in the week after.
- More than 50% of the children surveyed were Hispanic and roughly 40% were Black. The sample was evenly distributed between male and female students.

Results
- Black students often attend schools that have weaker, less positive school climates.
- Students who are white or Asian are more likely to attend schools that are safer and more community oriented, with a good school climate.
- Schools with positive school climates may insulate students from the negative effects of exposure to neighborhood violence.
- Students who experience decreases in their ELA test scores after exposure to neighborhood violence tend to be concentrated in schools with the weakest climates.
- Attending a school with a weak school climate may increase academic disadvantages.
- The effect of exposure to violence is particularly noticeable for boys and Hispanic students in schools deemed the least safe, i.e., these students experience steep declines in achievement following exposure to violence.
- Schools often serve as safe havens for children who reside in dangerous neighborhoods, potentially insulating them from the acute effects that stem from exposure to violence.

Joscha Legewie & Jeffrey A. Fagan, *Aggressive Policing and the Educational Performance of Minority Youth*, 84(2) Am. Socio. Rev. 220-47 (2019).

Purpose
- To determine the impact that expansive police presence in urban communities has on the academic performance of minority youth.

Methodology

- Data comes from two sources:
  - New York City Department of Education records of all public-school students in grades K-8 from 2003 to 2012.
  - New York Police Department information on pedestrian stops; crime complaints; arrests; and "Operation Impact," a hyper aggressive stop-and-frisk program that targeted alleged high crime areas deemed "impact zones." These zones were usually populated by African-Americans or Latinos. Over eighteen percent of African-American, 14.6% of Hispanic, and 0.7% of white elementary and middle public school students were exposed to impact zones and the heightened police contact accompanying them.
- The stop-and-frisk data included records on 4.6 million police stops of pedestrians between 2004 and 2012 (each record containing the timing, location, and circumstances of the stop as well as details of the stopped person).
- The incident-level arrest data included 3.3 million arrests between the 2004 and 2012 and again included information such as the charge, race, age, and gender of the arrested person.
- To estimate the effect of Operation Impact, researchers used data from the New York City department of education on 250,000 children ages 9 to 15 and a "difference-in-differences" approach based on variation in the timing of police surges across neighborhoods.
- Focusing on the students' residential context, the approach compares changes in test scores before, during, and after Operation Impact for areas affected by the intervention to the same difference for areas designated as impact zones at a different point in time.

Results
- African-American boys aged 9 and 10 appear to be unaffected by the aggressive and persistent police presence in their neighborhoods.
- Older African-American boys, however, experienced a negative effect of living in "impact zones" and being subjected to increased police activity. For example, 15-year-old Black children who are exposed to impact zones for one school year exhibited decreased ELA (English Language Arts) test scores by -0.136.
- Violent crime in the residential environment had a negative impact on cognitive development, school performance, mental health, and long-term physical health. Although there may have been a reduction in violent crime due to aggressive policing, such positive effects were outweighed by the negative consequences of that style of policing.
- Over-policing might negatively influence educational outcomes by damaging trust in schools and teachers or leading to system avoidance and withdrawal from institutions such as school.

Jayanti Owens & Sara S. McLanahan, *Unpacking the Drivers of Racial Disparities in School Suspension and Expulsion*, **98(4) Soc. Forces, 1548-77 (September 2019).**

- School suspension and expulsion disproportionately affect Black students when compared with white students. Both forms of discipline have long-term consequences for educational attainment and other indicators of wellbeing.
- Prior research identifies three mechanisms that help account for racial disparities in suspension and expulsion: (1) between-school sorting, (2) differences in student behaviors, and (3) differences in the treatment and support of students with similar behaviors.
- Authors extend this literature by comparing the contributions of these three mechanisms in a single study, assessing behavior and school composition when children enter kindergarten and before most are exposed to school discipline, and using both teacher and parent reports of student behaviors.
- Differential treatment and support account for 46% of the Black/White gap in suspension/expulsion, while between-school sorting and differences in behavior account for 21% and 9% of the gap, respectively. Results are similar for boys and girls and robust to the use of school fixed effects and measures of school composition and student behavior at ages 5 and 9. These findings highlight differential treatment/support after children enter school as an important but understudied mechanism in the early criminalization of Black students

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Edward Morris and Brea Perry, *Girls Behaving Badly? Race, Gender, and Subjective Evaluation in the Discipline of African American Girls*, 90(2) Socio. Educ., 127-48 (2017).

- School disciplinary processes are an important mechanism of inequality in education. Most prior research in this area focuses on the significantly higher rates of punishment among African American boys. In this article, however, authors turn their attention to the disciplining of African American girls.
- Using advanced multilevel models and a longitudinal data set of detailed school discipline records, the authors analyzed interactions between race and gender on office referrals. The results show troubling and significant disparities in the punishment of African American girls. Controlling for background variables, African American girls are three times more likely than white girls to receive an office referral. This discipline gap is substantially wider than that between African American boys and white boys. Moreover, African American girls receive disproportionately higher referrals for infractions such as disruptive behavior, dress code violations, disobedience, and aggressive behavior. The authors argue that these infractions are subjective and influenced by gendered interpretations of behavior. Using the framework of intersectionality, authors propose that school discipline penalizes African American girls for behaviors perceived to transgress normative standards of femininity.

Nicholas A. Gage et al., *Student Perceptions of School Climate as Predictors of Office Discipline Referrals*, 53(3) Am. Educ. Rsch J. 492-515 (2016).

Purpose

- To determine the relationship between school climate and office disciplinary referrals (ODRs).

Methodology
- Data collected from a large New England school district made up of eight elementary schools, two middle schools, and two high schools with a total enrollment of 8,200 students.
- The district is diverse. Sixty-one percent of the district's students are minorities, 44.7% of whom are Hispanic, 13.5% Black, and 2.5% Asian. Sixty-two percent of students receive free or reduced lunch, 11.5% are not fluent in English, 13% receive special education services.
- The district boasts a 91% graduation rate and a 3% dropout rate for high school.
- 3,797 students (46% of the district) completed a school climate survey, the Meriden School Climate Survey (MSCS). Forty-five percent of respondents were in elementary school, 22% in middle school, and 32% in high school). Half of respondents were female, 40% were white, 42% Hispanic, and 15% Black.
- The MSCS consists of 47 questions concerning students' perception of adult support at school, school safety, respect for differences, adult support at home including academic support, student aggression toward others, and peer support.
- ODRs were collected from a School-Wide Information System (SWIS). The total number of ODRs collected for this sample of students was 3,778 (the majority of which were for student disrespect, aggression toward a peer, disruptions and inappropriate language).
- In-school and out-of-school suspensions stemming from ODRs were also included in the data.
- Test scores were collected from students in grades 3-8 and grade 10. No grades or test scores were available for grades 9, 11, or 12.

Results
- The most important factors contributing to a decrease in office disciplinary referrals were having school-involved parents, a caring adult at school who reinforces appropriate behaviors (i.e., a counselor, a dean, a teacher, a coach), and feeling safe at school.
- Schools need to create positive learning environments where students feel safe.
- Connecting with parents can increase parental support of school rules and investment in children's academic and behavioral performance in schools.
- Schools where teachers provide consistent and regular positive reinforcement, particularly to students who have chronic behavior problems, are more likely to decrease ODRs and positively increase their school climate.
- For students who often receive ODRs, schools need to provide a variety of interventions and alternative disciplinary tactics such as socio-behavioral and academic supports.

Nicole Joseph et al., *Black Female Adolescents and Racism in Schools: Experiences in a Colorblind Society*, 100(1) The High Sch. J. 4-25 (2016).

Purpose
- To push educational reform forward by examining adolescent Black girls' perspectives on racism and its presence in schools.
- Researchers sought to answer two questions:
  - What kinds of experiences with racism do Black female adolescents report having in schools?
  - How can these perspectives and experiences inform educational improvement efforts?

Methodology
- Authors used the theoretical frameworks of Critical Race Theory, Critical Race Feminism, and Black Feminist Thought in their examination of the perspectives of the Black adolescent female participants.
- Study draws on a subset of data from a separate study that seeks to learn more about high school students of color considering a career in teaching.
- Focuses on student surveys and interviews collected over two years (2010 – 2012).
- Surveys were comprised of open-ended questions and were distributed in class. Surveys were also used to conduct follow-up interviews with students to discuss their responses.
- The survey and interview contained questions concerning students' experiences in school, their perceptions of racism, and their perceptions of the teaching profession.
- Participants (18 Black adolescent girls) were recruited from two high schools (Summit and Ridge) in a large school district in the Southwest.
- Summit High School serves a predominantly Black and Latinx community and was one of the lowest performing schools in the district.
- Ridge High School was more diverse but heavily segregated because most white students were contained to its International Baccalaureate (IB) program.

Results
- Internal school segregation based upon an alleged academic superiority can negatively influence teachers' academic expectations of students.
- Institutional academic segregation impacts how students view racism at the student level.
- Schools reproduce stereotypes by giving credence to white students' opinions of Black girls, signaling that white students have outsized power in the school and that Black girls are not valued in the same manner.
- Participants experienced racism and sexism at the institutional level as well with other students.
- Participants report that teachers expect certain behaviors out of Black girls based on how they dress and the students with whom they associate.
- Black students experienced racism from teachers at both the diverse Ridge High and the predominantly Black and Latinx Summit High School.
- Participants resisted racism in school by making their own choices concerning the academic tracks in which they take part (the traditional track, AP classes, or the IB program).
- Authors include the following suggestions for educational reform:

- Link pedagogy to social change so that Black girls can engage with education as a way to actively and positively resist (this suggestion echoes the seminal work of Paulo Freire, *Pedagogy of the Oppressed*).
- Involve student voices in educational reform, giving a platform to their unique insights.
- Hire more teachers of color as they are often better equipped to act as advocates for students of color (most instances of racism in this study stemmed from interactions, comments, and attitudes perpetuated by white teachers).

Edward W. Morris & Brea L. Perry, *The Punishment Gap: School Suspension and Racial Disparities in Achievement*, **63 Soc. Probs. 68-86 (2016).**

Purpose
- To determine if student suspensions negatively impact the academic achievement of minority students.

Methodology
- Data comes from the Kentucky School Discipline Study (KSDS). It is comprised of existing, deidentified school records and supplementary data collected routinely from parents in a large, urban public school district.
- All data on school discipline and test scores comes directly from school records, eliminating any selection biases or social desirability effects that occur when students or parents report on their own behavior.
- For each student offense resulting in disciplinary action (i.e., dean referral, detention, suspension or expulsion), school personnel are required to complete a form containing information about the offense.
- This empirical research sample includes 16,248 students in grades 6-10, enrolled in 17 district public schools, over a three-year period beginning in August 2008 and ending in June 2011. Forty-nine percent are girls and 51% are boys. The sample is 59% white, 25% Black, 10% Latino, 4% Asian, and 3% some other race.

Results
- One model that excluded school-level fixed effects indicated that Black students are nearly eight times as likely to be suspended as white student. Latino students are more than twice as likely to be suspended as white students. Students of other races are two and a half times as likely to be suspended than white students.
- A second model that did include school-level fixed effects indicated that Black students are six times as likely to be suspended as white students. Latino students are nearly twice as likely to be suspended as white students. Students of other races remain about two and a half times as likely to be suspended as white students.

- Schools with larger concentrations of Black students have significantly higher rates of out-of-school suspension. Remarkably, each additional percentage of the student body that is Black is estimated to increase the annual number of school suspensions by roughly ten.
- Black students are more likely than white students to attend schools that employ higher levels of exclusionary discipline. Black students are also more likely to be suspended than their white peers within the same schools.
- Suspensions are associated with decreases in reading test scores and mathematic achievement. These decreases in academic achievement are especially stark among minority students as they are disproportionately likely to be suspended.

Keith Smolkowski et al., *Vulnerable Decision Points for Disproportionate Office Discipline Referrals: Comparisons of Discipline for African American and White Elementary School Students*, 41(4) Behavior Disorders 178-95 (2016).

Purpose
- To determine when disproportionality in school discipline occurs and what can be done to reduce it.

Hypothesis
- Compared to white students, Black students receive Office Discipline Referrals (ODRs) at a higher rate for subjectively defined behaviors than for objectively defined behaviors.
- The relative odds of receiving a subjective versus objective ODR will be greater for African Americans when associated with four potential Vulnerable Decision Points ("VDPs" – specific situations in which increased disproportionality tends to occur):
    - (1) at the end of the day versus earlier in the day
    - (2) in classroom settings versus non-classroom settings
    - (3) when classifying incidents as severe versus minor; and
    - (4) for Black females when compared to white females.

Methodology
- Sample includes nearly 484,000 ODRs issued in the 2011-2012 school year to some 235,500 students by 53,000 teachers in 1,666 elementary schools.
    - Of the 484,000 ODRs, 424,840 were described as subjective. The remaining 59,000 were objective ODRs.
    - Subjective ODRs were given at an authority figure's discretion for offenses like defiance, disrespect, disruption; while objective ODRs address behaviors for which discipline is mandatory (e.g., fighting, theft).
    - Subjective ODRs tend to stem from unconscious, implicit biases related to the impact stereotypic associations of racial and other groups can have on perceptions, judgements and decision making.
- The schools from which data was collected were located in 45 states with an average enrollment of 493. On average, 47% of students were non-white.

- This study focused exclusive on elementary schools in order to examine student-teacher interactions throughout the course of the day that were limited to the same teacher.
- Only ODRs concerning Black and white students were included in order to focus the analysis on the most common comparison for disproportionality.
- ODRs were judged based on the time of the incident and its severity.
- To assess their hypotheses, researchers fit a series of multilevel logistic regression models with different predictors of the odds of a subjective ODR: (a) unconditional model with no predictors; (b) school-level covariates only; (c) African American recipient; (d) African American and end of day; (e) African American and classroom; (f) African American and major ODR; and (g) African American and female.
- Researchers then fit three final models that included each of the three hypothesized VDPs with both African American and female as predictors. Models with multiple predictors also included all relevant interactions. Because ODRs were collected from different educators in different schools, researchers also included these two sources of random variation into all models (i.e., ODRs were nested within educators and schools).

Results
- The odds of a student receiving an end of the day ODR increased for white students but remained consistently high for Black students throughout the day. The disparity between early day ODRs and end of day ODRs may be due to early morning teacher stress, stronger academic focus at the start of each day and increased disorder from transitioning between home and school environment and the changes in behavioral expectations as part of that transition.
- Subjective ODRs are 1.26 times more likely to be given to Black students than white students within classrooms.
- Black students are 1.34 times more likely to receive *major* ODRs than white students and 1.1 times more likely to receive *minor* ODRs.
- Black male students were at a much higher risk of receiving ODRs than white male students. That risk was even higher for Black female students in comparison to white female students (1.40 times more likely).
  - Black female students in particular were 1.73 times more likely to receive major ODRs than white female students. That is, Black female students were nearly twice as likely to be removed from class than their white counterparts, potentially negatively affecting their academic achievement.
- Black students were at greater risk for subjective ODRs than white students in the classroom compared to other settings, and when the ODR involved a major offense.
- As roughly 76% of teachers are female and 82% are white, researchers estimated that about 62% of teachers were white females and 20% white males. This contrasts sharply with the estimated total of 7% Black teachers, 5% of whom are female and 2% of whom are male. Due to their group membership and paternalistic attitudes towards certain groups in certain contexts, teachers may be less inclined to categorize the behavior of white female students in particular as meriting a disciplinary response than they are the behavior of Black female students or male students in general.

Conclusion

- Improving the specificity of definitions of subjective ODRs like "defiance" and "disrespect" so that ambiguity is minimized as much as possible could attenuate the influence of implicit bias on discipline decisions.
- School personnel can decrease (but not eliminate) subjectivity by creating and using operational definitions of each behavior and indicating the thresholds for no ODR, a minor ODR, and a major ODR.
- General VDPs (i.e., first 90 min of the day, classroom, assessing severity) could be used to help educators identify specific decisions that are vulnerable to bias and use alternative responses in place of issuing ODRs that perpetuate disproportionality. Once they are aware of these VDPs, teachers may be trained in responses that are more instructional than exclusionary, such as teaching or reteaching expectations or visibly modeling cool-down strategies for students.
- Administrators can be encouraged to use more instructional or restorative alternatives to suspension and use interventions shown to be effective with African American students.
- Proactively teaching classroom routines, using acknowledgement systems equitably, and enhancing the level of student engagement in classroom instruction, may prevent VDPs in the first place.

Phillip Atiba Goff et al., *The Essence of Innocence: Consequences of Dehumanizing Black Children*, 106(4) J. Personality & Soc. Psych. 526 (2014).

STUDY 1

Purpose
- To determine the extent to which we dehumanize Black children, testing the following hypotheses:
    - That Black boys are seen as less "childlike" than their white peers,
    - That the characteristics associated with childhood will be applied less when thinking specifically about Black boys relative to white boys, and;
    - That these trends would be exacerbated in contexts where Black males are dehumanized by associating them (implicitly) with apes.

Methodology
- 123 students from a public university participated in the study, 96% of whom were female.
- Participants were asked a series of questions about how innocent children were in general without specifying race and how innocent white and Black children were.

Results
- For every age group after the age of 9 (i.e., 10 –13 through 22–25), Black children and adults were rated as significantly less innocent than white children and adults or children and adults generally. The analyses revealed no differences in ratings of innocence between white people and people generally, either within an age group or overall.

Relevance
- Supports the proposition that the general population sees Black children as less innocent

than white children.

STUDY 2

Purpose
- To examine whether perceptions of innocence differed by target race and the severity of crimes committed.
- To examine whether dehumanization contributes to the perception of Black children as less innocent.

Methodology
- 59 students from a large public university participated.
- Participants were asked to:
  - Complete a personalized Implicit Association Task (IAT) designed to measure the speed with which participants affiliated stereotypically Black or white names with liked and disliked items.
  - Complete a dehumanization IAT, which modifies the personalized IAT by including comparisons between great cats and apes.
  - Complete an Attitudes Towards Blacks (ATB) questionnaire assessing their attitudes toward Black peoples
  - Evaluate a child's age and culpability when shown a series of pictures of white, Black, or Latino children and described scenarios in which the child is suspected of having committed a misdemeanor or a felony.

Results
- Participants overestimated the age of Black felony suspects to a greater degree than that of Black misdemeanor suspects. There was no difference in age errors between white suspects, nor between Latino suspects.
- Participants rated Black felony suspects as older than white and Latino felony suspects, but revealed no such effects for misdemeanor suspects.
- Black felony suspects were seen as 4.53 years older than they actually were, meaning that Black boys would be misperceived as legal adults at age 13 and a half.
- Black people were rated as more culpable than Latinos, and Latinos were rated as more culpable than white people.
- Black felony suspects were viewed as significantly more culpable than either white felony suspects or Latino felony suspects.
- A simple correlation found that age errors were moderately related to ratings of culpability such that the older a child was rated, the more culpable the child was seen to be
- The dehumanization IAT significantly predicted age overestimations of Black children. The more readily participants implicitly associated Black people with apes, the higher their age overestimation of both Black misdemeanor suspects and Black felony suspects.
- The dehumanization IAT significantly predicted perceptions of the culpability of Black children. The more readily participants implicitly associated Black people with apes, the higher their culpability ratings for both Black misdemeanor and felony suspects.
- Implicit anti-Black dehumanization predicted ratings of white culpability in that the more participants associated apes with Black people, the less they found white targets culpable

for criminal misdeeds.

Relevance
- Black children are seen as older and more culpable than their white or Latino counterparts.

STUDY 3a

Purpose
- To establish if implicit dehumanization facilitates racial disparities in real-world policing contexts.

Methodology
- 60 police officers from a large urban police department participated.
- Used the same methodology as Study 2.

Results
- Participants overestimated the age of Black felony suspects to a greater degree than that of Black misdemeanor suspects, as well as all other suspects.
- White targets were rated as less culpable when associated with felonies, whereas Black targets were rated as significantly more culpable when associated with felonies. There was no difference in culpability for Latinos across crime type.
- There was a difference between white targets suspected of felonies and both Black and Latino targets. No differences emerged between Black and Latino felony suspects or between any misdemeanor suspects.
- The older an officer thought a child was, the more culpable that child was rated for their suspected crime.
- The more quickly participants associated Black people with apes, the higher their age overestimation for both Black misdemeanor suspects and Black felony suspects.
- The dehumanization IAT significantly predicted perceptions of the culpability of Black children. The more readily participants implicitly associated Black people with apes, the higher their culpability ratings for both Black misdemeanor suspects and Black felony suspects.
- Implicit dehumanization of Black people was a significant predictor of racial disparities in the use of force against child suspects, even controlling for other measures of bias. The more officers implicitly associated Black people with apes, the more officers had used force against Black children relative to children of other races.

Relevance

- Police officers are also prone to dehumanizing Black youth.

STUDY 3b

Purpose
- To replicate the findings of Study 3a with a larger sample size.

Methodology
- 116 police officers from a large police department participated in the study.
- Participants completed the ATB, the personalized IAT, and the dehumanization IAT.
- Participants then completed a survey regarding children, age, race, and culpability.

Results
- Results were the same as those found in Study 3a.

Relevance
- See Study 3a.

STUDY 4

Purpose
- To determine if the presence of dehumanizing associations contributes to the racial disparities in the juvenile justice system.

Methodology
- 82 students from a large public university participated.
- Participants were primed with pictures of Black and white children as well as the names of apes or great cats.
- Participants were asked to complete an "essentialism scale" capturing their perceptions of the categories of "children" and "adults."
    - The essentialism scale measured eight dimensions: (1) discreteness – having clear boundaries, (2) uniformity – similarity to other group members, (3) informativeness – how much group membership tells us about group members, (4) naturalness – how natural or artificial group categorization is, (5) immutability – how easy it is to change group membership, (6) stability – how stable it he existence of the category itself throughout history, (7) inheritance – does the category have an underlying reality despite surface differences of its members, and (8) necessity – does the category have features deemed necessary for membership.
- Participants were then asked to read crime scenarios and to complete an age and culpability assessment.

Results
- White children were seen as a more essentialized group than Black children.
- The ape prime led to lower ratings of Black childhood essentialism than did the cat prime, whereas neither prime had an effect on the essentialism ratings of white children.
- Black targets were perceived as older than white targets.
- After an ape prime, participants underestimated white children's ages when they were suspected of a felony relative to a misdemeanor. Black children's ages were significantly overestimated when they were suspected of a felony relative to a misdemeanor.
- Black targets were perceived as more culpable than white targets.
- Targets were seen as more culpable after participants were primed with apes than after they were primed with great cats.
- Similar to the patterns of age overestimation, implicit dehumanization was associated with an increased culpability gap between felony and misdemeanor suspects for Black people

but was associated with the opposite for white people, leading to perceptions of reduced culpability for white children.
- The study found a moderately strong relationship between age errors and ratings of culpability such that the older a target was perceived to be, the more culpable they were rated for their suspected crimes.
- Perceptions of essentialism fully explain the effect of the ape prime on the age overestimations of Black felony suspects.

Relevance
- This study offers more proof that Black children are not equally "afforded the privilege of innocence—resulting in violent inequalities."

IV.   Academic Journal Articles

Karen Dolan et al., *Reimagining School Safety*, Institute for Policy Studies 1-21 (2020).
- This article examines contemporary school safety and proposes changes to increase school safety and promote a more inclusive educational environment.

Targeted Policing in Schools – the authors suggest that the children affected by policing in schools are essentially being targeted based upon race, ethnicity, socioeconomic status, gender identification, or disability.
- As of 2020, nearly 60% of all schools and 90% of high schools have at least a part-time law enforcement officer on staff.
- A 2019 study found that students at schools with higher relative suspension rates were 15-20% more likely to be arrested later in life.
- Black students are three times more likely than non-Black students to attend a school with more security staff than mental health personnel.
- In the 2015-2016 school year, the Office of Civil Rights reported 2.6 million total out-of-school suspensions (40.6% of these suspensions were Black students, and just 31.7% were white students).
- In 2017, Black and Latinx students made up 40% of the US school population but 58% of school arrestees.
- Nationwide, Black students are 4 times more likely to be suspended than white students and 3.5 times more likely to be arrested within school than white students, despite displaying similar behavioral patterns.
- According to data collected from more than 95,500 schools, the average arrest rate in California schools where more than 80% of students receive free or reduced-price lunch is seven times the average arrest rate in schools where fewer than 20% of students receive free or reduced-price lunch.
- Nationally, Black girls are arrested at 4 times the rate of white girls.
    - In North Carolina, Iowa, and Michigan, that rate doubles. Black girls represent 43% of all girls arrested at school, despite constituting only 17% of public-school enrollment.

- 44.7% of Black LGBTQ+ youth had experienced some form of punitive discipline, either detention, suspension, or expulsion. Those who experienced such disciplinary action were less likely to pursue post-secondary education and had lower grade-point averages.

Impact of Youth Criminalization Through School Policing – although school resource officers are deployed with the intention of creating a safer learning environment, their presence reportedly causes students to feel less comfortable and less secure. Because of the racially disparate disciplinary practices of school officials and school resource officers, students harbor feelings of mistrust that lead to an increase in student offenses. Exclusionary practices cause students to distance themselves from their learning environment, as the constant removal from and re-entry into school has been shown to disrupt a student's academic progress.
- Students attending schools with high suspension rates are upwards of 15-20% more likely to be arrested and incarcerated as adults.
- When mental health needs aren't addressed and adolescent behaviors are criminalized, students may find themselves entangled with the justice system for years to come and their home lives disrupted. A 2016 study by the Coalition of Juvenile Justice interviewed runaway and homeless youth in 11 U.S. cities and found that nearly 44% had spent time in a jail, prison, or a juvenile detention center; nearly 78% had at least one interaction with the police; and nearly 62% had been arrested at some point.
- A 2018 UCLA study examining the impact of federal grants for school police on 2.5 million students in Texas found a 6% increase in middle school discipline rates, a 2.5% decrease in high school graduation rates, and a 4% decrease in college enrollment rates.
  - College enrollment is a nearly impossible feat for criminalized youth, as 60% of American universities consider criminal history during their admissions process.

Conclusion – In order to confront the adverse effects of exclusionary disciplinary practices and police in schools, the authors suggest that schools divest from police partnerships and reinvest in counseling, addressing mental health, and education. Some suggested avenues include restorative justice practices, "Social, Emotional, and Academic Development" (SEAD), and "Social and Emotional Learning" (SEL). These programs integrate social and emotional intelligence with academic learning and have been proven to increase test scores, graduation rates, and college enrollment while decreasing delinquency. An intentional focus on counseling – particularly trauma-informed counseling, may be beneficial considering the prevalence of generational trauma in communities of color and how a school police presence often retraumatizes students of color.

Danielle Weatherby, *Student Discipline and the Active Avoidance Doctrine*, 54(1) U.C. Davis L. Rev. 491-546 (2020).

- By examining the unique school-pupil relationship inherent in the often-misconstrued doctrine of *in loco parentis*, Weatherby argues that a school's active avoidance of discipline reform results in educational deprivations that raise Substantive Due Process

concerns. The combined effect of compulsory education laws and the liberty interest inherent in the Fourteenth Amendment's Due Process Clause trigger a legal duty to reform broken educational practices. The perpetuation of zero tolerance discipline violates this duty, under what she terms the "Active Avoidance Doctrine" (496).

- This article is divided into four sections: (1) A Brief History of Student Discipline, (2) Why Zero Tolerance Discipline is Failing America's Youth, (3) The Active Avoidance Doctrine and the Duty to Reform Student Discipline; (4) Barriers to Success on an Active Avoidance Claim
- 2019 data has found that 2.7 million of all K-12 students received one or more out-of-school suspensions (494).[5]
- The same data illustrated a disparity in disciplinary incidents involving minority students. While Black students represent only 16% of national enrollment, they make up 27% of all students referred to law enforcement and 31% of students arrested.
- A student who has been suspended only once is at a significantly higher risk of dropping out of school than a student who has never been suspended.
- Although designed in response to serious student misconduct (primarily serious acts of violence or the possession of dangerous weapons on-campus) contemporary zero tolerance policies have been expanded to include trivial infractions that pose no safety concerns such as cheating, running in the hallway, dress code violations, and foul language.
- Juvenile incarceration is the single most significant factor in predicting whether a youth will offend again – even more significant than family difficulties or gang membership (507).[6]
- Although school suspensions are supposed to improve classroom climate, they actually have the opposite effect and instead produce feelings of fear and disengagement among all students regardless of any history of misconduct (510).
- Effective classroom management, school environment, and educational outcomes all contribute to the school climate. Harsh disciplinary procedures, such as automatic suspensions for relatively trivial infractions, lead to negative school climates. Negative school climates lead to disruptive classroom behavior and more suspensions.
- Negative school climates also impact teachers. As student disengagement increases, teacher frustration increases, leading to teacher absence and turnover (511). [7]
- With a robust body of literature supported by empirical data, crediting exclusionary discipline as one of the primary causes of the school-to-prison pipeline, schools should be charged with at least constructive notice of the harm caused by perpetuating these policies. The Active Avoidance Doctrine suggests that the perpetuation of zero tolerance

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[5] U.S. COMM'N ON CIVIL RIGHTS, *Beyond Suspensions: Examining School Discipline Policies and Connections to the School-to-Prison Pipeline for Students of Color with Disabilities* (2019).
[6] Nell Bernstein, BURNING DOWN THE HOUSE: THE END OF JUVENILE PRISON (2014).
[7] Derek Black, *The Constitutional Limit of Zero Tolerance in Schools*, 99 Minn. L. Rev. 832-904 (2015) (Note: Weatherby is heavily influenced by this article).

policies produces a crime-enabling cycle that places students at risk, resulting in an educational deprivation that poses actionable Fourteenth Amendment problems (514).

Anne Gregory & Edward Fergus, *Social and Emotional Learning and Equity in School Discipline*, **27 The Future of Child. 117-136 (2017).**

- Significant racial disparities in school discipline have inspired nationwide reform. Despite decreases in the total number of suspensions received by students, the suspensions that are meted out continue to be plagued with racial disparities.
- This article suggests that disparities persist because improvements (typically in the form of social and emotional learning practices) are *colorblind* and place too much emphasis on changes students need to make, woefully disregarding the need for educators to increase their own social and emotional competencies.
- Black students and male students are more likely to receive suspensions than white students and female students.
- Children of color in special education are significantly more likely to be referred to school administrators for disciplinary issues.
- LGBTQ students are also more likely to be disciplined.[8]
- In many schools, Black female students are suspended more often than male students who are not Black.
- The discipline gap between Black and white students begins as early as preschool. According to statistics from 2013-2014, although only 19% of preschool children are Black, they make up 47% of preschool children who receive one or more suspensions (119).
- Black students tend to receive more severe discipline when compared to white students whose misconduct was equally serious.[9]
- Teachers' social and emotional skills are essential for building positive student relationships and preventing disciplinary incidents.
- Teachers' biased beliefs foster discriminatory behaviors that routinely lead to excessive discipline referrals of racially minority students.
- Educators who learn to scrutinize their own culturally informed values might be able to detect when they're honoring familiar forms of student behavior and speech, and when they're monitoring and punitively responding to behavior and speech less aligned with their own culture (129).

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[8] Kathryn E.W. Himmelstein and Hannah Brückner, *Criminal-Justice and School Sanctions Against Non-Heterosexual Youth: A National Longitudinal Study*, 127 Pediatrics 49–57 (2011).

[9] Russel J. Skiba et al., *Parsing Disciplinary Disproportionality: Contributions of Infraction, Student, and School Characteristics to Out-of-School Suspension and Expulsion*, 51 Am. Educ. Rsch. J. 640–70 (2014).

- Compared to white students, Black and Latino students tend to feel they receive less support from adults in school.[10] This can be remedied by a concerted effort by educators to establish trust and strong relationships with their minority students.

Paul J. Hirschfield, *The Role of Schools in Sustaining Juvenile Justice System Inequality*, 28 The Future of Children 11-36 (2018).

- This article's purpose is to review the evidence of how disparate school experiences contribute to disproportionate minority contact with the juvenile justice system (DMC). Based upon that review and evidence from evaluations of alternative school disciplinary and police approaches, the author discusses school and juvenile justice reforms that could diminish the impact of schools on DMC.
- School experiences tend to vary by race and ethnicity. Some school-related factors clearly affect the intensity of juvenile justice involvement.
- Schools contribute to DMC in two ways: "micro-level processes" and "macro-level processes." Micro-level processes elevate individual delinquents' risk of an adverse juvenile justice outcome because they're distributed unevenly by race/ethnicity or they affect youth of color more adversely (e.g., biased school suspensions). Macro-level processes do not depend on discriminatory treatment at the individual level, but instead operate at the classroom, school, or community level.
  - Example from text: Schools in County A administer punishments evenly by race, while those in County B do not. However, school principals in County A, which is predominantly black, are more punitive than principals in County B, which is predominantly white. Under this scenario, County A's racially equitable school practices may contribute more overall to DMC than County B's racially inequitable practices.
- Micro-level factors focus on individual circumstances that disadvantage racial and ethnic minorities whereas macro-level factors speak to the need for broader policy interventions.
- School suspensions tend to be racially disparate. For example, in the 2013-14 school year, Black male and Black female students were 3.6 and 5 times more likely to be suspended than their white counterparts, respectively. Similar disparities held true for Native American and Latino youth compared to white students.
- Reputations of students earned from past disciplinary experiences often carry into the middle school years.

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[10] Adam Voight et al., *The Racial School Climate Gap: Within-School Disparities in Students' Experiences of Safety, Support, and Connectedness*, 56 Am. J. Cmty. Psych. 252–67 (2015).

- Teachers often harbor and perpetuate culturally biased perceptions of threatening behavior. For example, a relatively recent study showed that students with darker skin tones, especially African-American girls, are more likely to be suspended (14).[11]
- Suspensions often result from relatively minor disciplinary infractions that are typical adolescent behavior, i.e., cheating, stealing candy, fighting, defiance, insubordination etc. The distribution of such suspensions is racially stratified.
- Expelling students and sending them to alternative education schools (also known as behavior schools or continuation schools) increases DMC.
- Zero-tolerance school policies exploded the population of alternative education schools (unsurprisingly, Black students are 3.5 times more likely to be placed in alternative schools than whites or other minority groups). One student said:
  - *On that note, in my time at those types of schools, which I went to three of them, I can remember maybe 10 white students altogether. The last alternative school I went to which was allegedly the worst one in the entire county, had two white students only, and one of them was murdered midway through the spring semester.*
- Attending alternative schools increase a young person's chances of being involved with the juvenile justice system. Police can identify alternative schools as high-risk zones that require additional monitoring.
- Alternative schools develop interagency partnerships with the juvenile justice system and/or police departments. When this partnership comes in the form of school police, student misbehavior is more likely to come to police attention, to be defined as a crime, and to precipitate arrest and school exclusion.
  - The most common offenses triggering school arrests are fighting and disorderly conduct (usually disruptive or disrespectful behavior). Data suggests that school officers are more likely to arrest Black students for these infractions.
- There is no hard data on whether the majority of school arrests lead to juvenile justice involvement as opposed to arrests without charges or charges that are diverted or dismissed, but there is some data on truancy. In 2013, 31,000 of 55,600 total truancy cases were directly referred to juvenile courts. One participant said:
  - *I was in truancy court in 2008-2009. As part of truancy court, I was given a paper that every teacher from every period was required to sign. On Thursday of every week, I would appear before a hearing master and show them the paper. If I was missing a signature, I would have to explain why. If my answer was insufficient or if I was simply not attending school, I was subject to remand in court. Most children in truancy court were on probation and considering that going to school was a term/condition of probation, being truant was grounds for a violation of probation/parole charge.*

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[11] Lance Hannon et al., *The Relationship Between Skin Tone and School Suspension for African Americans*, 5 Race and Soc. Probs. 281–95 (2013)

- Student referrals to the juvenile justice system tend to be jurisdictionally dependent. The author notes that 6% of Texas's juvenile probation caseload derived from school referrals whereas Florida school referrals made up over 22% of the juvenile probation caseload.
- School referrals further perpetuate the racial disparities in the juvenile system.
- Studies have shown that a school's racial composition may boost individuals' risk of disciplinary referral and suspension beyond the effect of individual risk factors such as race.
- Inner-city public schools with primarily African-American populations tend to have the heaviest police presence. This undoubtedly leads to behavioral infractions increasingly becoming matters of juvenile justice.
- Because of the location of inner-city public schools, students encounter a heavy police/security presence not only in school, but also on their way to and from school while walking or taking public transportation.
- Some policy interventions, if implemented correctly, would help reduce schools' roles in creating inequality in the juvenile justice system.
    - Restorative justice practices such as conferencing and peace-making circles aim to resolve conflicts and reduce misbehavior while reinforcing the legitimacy of school authorities and decreasing reliance on referrals to the juvenile justice system.
    - Positive Behavioral Interventions and Supports (PBIS) programs work toward helping troubled youth build new skills and avoid negative behavior.
        - Although some suspension reductions associated with PBIS resulted in a sharper suspension drop for white students than Black students, the overall drop in suspensions still seems to benefit a higher portion of black students and potentially will reduce DMC.

Jason A. Okonofua et al., *A Vicious Cycle: A Social-Psychological Account of Extreme Racial Disparities in School Discipline*, **11(3) Persps. on Psych. Sci. 381-393 (2016).**

- This article promotes the idea that racial disparities in student discipline exist in large part due to pervasive negative racial stereotypes that have a profound influence on both teachers and students. Several interventions that can potentially mitigate school discipline are put forward.
- Racial stereotypes and beliefs, such as "Black people are inherently dangerous," place teachers and students in precarious positions that fuel heightened responses to misbehavior and, in turn, escalate misbehavior.
- Teachers may be more likely to attribute misbehavior among Black students to internal causes rooted in stereotypes (e.g., the notion of a Black child being a "troublemaker") than misbehavior of white students. Such perspectives are problematic because they imply that a student labeled a "troublemaker" will continue to misbehave and encourage harsh disciplinary responses.

- - A study conducted by the authors in 2015 found that K-12 teachers were more likely to label a misbehaving Black middle student a troublemaker than they were a white student (384).
- "Unlike law enforcement officers, teachers interact with children, not criminal suspects, and do so in the context of long-term relationships. A primary function of this relationship is to introduce children to the broader society and to guide children as they begin to make sense of the world. Thus, it may be especially threatening to students when teachers confirm fears of bias within the classroom" (385).
- As racially stigmatized children reach adolescence, they become increasingly aware of racial stereotypes and begin to become fearful that they will be treated or viewed in biased ways. These fears can contribute to academic underperformance.
- Negative disciplinary interactions with teachers may stand out more to racially stigmatized students given that they already tend to mistrust teachers.
- If students mistrust teachers or doubt their own belonging in-school (i.e., imposter syndrome), they may act out in ways that undermine their relationships and educational outcomes.
- Teacher/student interactions may become cyclical self-fulfilling prophesies.
    - E.g., if a teacher believes a Black child to be a troublemaker, she may see his misbehavior as a confirmation of her beliefs. If a Black child is more likely to worry that his teacher will treat him unfairly, or that his teacher is treating him unfairly, it is likely he will begin to disengage from classroom work or misbehave. Overtime the relationship between the student and the teacher will deteriorate further and the disciplinary responses will become more extreme until the student is either removed from the class or drops out of school.
- Teachers tend to be more punitive in disciplining children who have a history of misbehavior than those without such history. This process can be exacerbated by racial stereotyping.
- As students of color become more aware of the hyper-punitive tendencies of teachers in disciplining minority students, they become sensitive and reactive to such mistreatment.
- Building positive student-teacher relationships, especially those involving minority students, may help decrease incidents of racially disproportionate student discipline. Building better relationships may also help teachers to view student misbehavior in nonpejorative ways.
- Student discipline reform will be improved when there is a greater focus on the social-psychological dynamics that tend to control teacher-student relationships. Focusing on this interplay may provide new and unique approaches to mitigate the extreme levels of racially disproportionate student discipline that exists today.