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School-to-Prison Pipeline and Its Infestation in Black and Brown Communities

Sofia Goetz, Smith

In the United States there is the belief that a quality education, and education as a whole, is child's ticket to a prosperous and successful life. It was Thomas Jefferson who went as far as to say that it is incredibly important to "Educate and inform the whole mass of the people...they are the only sure reliance for the preservation of our liberty".¹ Jefferson's belief about the United States was meant to extend into the future, but this moral value and commitment was never extended to low income communities, and especially communities of color - almost as if the privilege of an education is only reserved for some people, not all. All across the country Black and Brown youth especially, have been abandoned and disappointed by the education system. A system meant to give them mobility is instead forcing the Black and Brown youth of this country to remain in their subservient positions. One of the most successful forces hindering the progress of Black and Brown youth is the school-to-prison pipeline. The school-to-prison-pipeline can be summed up by a series of events in a child's education that takes the child out of school and puts it into the

United States incarceration system. The school-to-prison pipeline eats Black and Latino youth, just to spit them back out. The presence of the school-to-prison pipeline places a dark shadow over this country's educational system, and is ruining student potential in Black and Brown communities. The school-to-prison pipeline and its relationship with punitive actions are directly responsible for the criminalization of Black and Latino youth and their lack of success in the United States educational system. This thesis will be proven by providing historical context about race in education, citing statistical evidence about racial disparities in modern education, how racial disparities cause Black and Latino students to act out or lose their passion for education, how this in turn causes them to be more susceptible to punitive measures and the school-to-prison pipeline, and ending the paper with a recommended solution.

The root cause of the school-prison-prison pipeline begins with racism. The United States is founded on, and has a longstanding history with racism and white supremacy. Racism is where all roads lead to in regards to

¹ Grant Tilus, "Educational Quotes From Our Founding Fathers" last modified July 2, 2012, <https://www.rasmussen.edu/student-experience/college-life/educational-quotes-from-our-founding-fathers/>.



the plight of Black and Latino youth in the United States, beginning with the concept of slavery. For many years, Black and Brown people were seen only as property, not people. Black and Brown humanity was never respected, and this population was looked at as sub-human and a pseudo-mechanical force meant to further the United States economy. It was only until President Lincoln signed the Emancipation Proclamation, that slavery was proven to be unconstitutional, and Black and Brown people were recognized as people. That of course was not the end of the battle. In the stages after the Emancipation Proclamation, Black and Brown people were still not respected. In response to the Black and Brown population's new freedom, many states began to establish hateful provisions called Jim Crow Laws. In the book *The New Jim Crow: Mass Incarceration in the Age of Color Blindness* by Michelle Alexander, Alexander recounts the creation of these laws when she writes,

“Just as the white elite had successfully driven a wedge between poor whites and blacks following Bacon’s Rebellion... another racial caste system was emerging nearly two centuries later, in part due to efforts by white elites to decimate a multiracial alliance of poor people. By the turn of the twentieth century, every state in the South had laws on the books that disenfranchised blacks and discriminated against them in virtually every sphere of life”.²

These deplorable laws covered aspects of everyday life, such as: public water fountains, public bathrooms, public transportation, the locations where Black and Brown people could live, and most horrifyingly, education. Education, much like everything else, was segregated. This means that there were separate schools for separate races, and racial integration in schools (including public schools) was prohibited. Black and Brown youth were allowed an education, but it was not nearly as good, or of similar quality, to a white education. This blatant racism had been validated ever since the infamous Plessy v. Ferguson United States Supreme Court decision. The United States Supreme Court ruled that segregation was not unconstitutional because, “[It] implies merely a legal distinction between the white and colored races -- a distinction which is founded in the color of the two races and which must always exist so long as white men are distinguished from the other race by color”, and summed up segregation as “separate but equal”.³ It wasn’t until the life-altering Brown v. Board of Education Supreme Court Decision, that segregation in schools was deemed unconstitutional.

Unfortunately, even after Brown v. Board of Education occurred, racism still prospered in this country’s education system. Schools in predominantly Black and Brown neighborhoods continued to be underfunded and undervalued, and Black and Brown history and/or

² Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Color Blindness* (New York: The New Press, 2010) 34-35.

³ Plessy v. Ferguson, 163 U.S. 537.

narratives were essentially non-existent in the school curriculum. All of these moments in history, and the absence of a complete and cohesive history of Black and Brown people, laid out the framework for Black and Brown youth to be abandoned, disrespected, and disappointed by the education system.

The presence of the racism towards Black and Latino youth in education is best examined through statistical evidence. The three sources that best capture this evidence are *The Brown Center Report on American Education* by Tom Loveless, the *2013-14 Civil Rights Data Collection* from the U.S. Department of Education Office for Civil Rights, and an article from the *Association of Mexican American Educators Journal*, by Alicia Pantoja. Beginning first with *The Brown Center Report on American Education*, Tom Loveless cites results from a study surrounding the California education system. Even though this study only examines educational disparities in California, those disparities are also seen across the country. Tom Loveless points out the fact that even though the number of punitive measures, such as out of school suspensions, are decreasing in California, Latino and Black students still have the highest rate of out of school suspensions. Latino students accounted for 249,318 out of school suspensions in 2013, a little over 200,000 in 2014, and 173,897 in 2015. Black students accounted for 92,688 out of school suspension in 2013, about 75,000 in 2014, and 66,277 in 2015. This is all in stark contrast with the number

of out of school suspensions for White students, which were 93,576 in 2013, about 70,000 in 2014, and 66,891 in 2015.⁴ The disparity margin for Black and White is minimal, however, due to the fact that Latinos make up more of the student population and therefore causing Latino students to have a more frequent disciplinary rate in California.

The data continues to get more bleak in the *2013-14 Civil Rights Data Collection* from the U.S. Department of Education Office for Civil Rights. This report from the U.S. Department of Education Office for Civil Rights revealed that on a national scale, Latino and especially Black youth, are disciplined at higher rates than White students. This report showed that even though the national average for suspensions in this country was six percent, the average suspension rate for K-12 Black boys was 18%, in comparison to 5% for White boys. The report also went on to highlight the fact that even though Latino students only account for 15% of the K-12 population, they account for 19% of suspensions. In addition to high suspension rates, the report also included the fact that Black students are more than twice as likely to be punished through law enforcement than the rest of the K-12 population, and over 50% of high schools that are predominantly Black and/or Latino have school resource officers.⁵ This report proves that racism against Black and Latino youth in education is present on a nationwide scale.

A third piece of data evidence cited in regards to the presence of

⁴ Tom Loveless, "Race and School Suspensions," *The Brown Center Report on American Education* 3, no. 6 (2017): Figure 3-1.



racism in the United States education system is in Alicia Pantoja's article "Reframing the School-to-Prison Pipeline: The Experiences of Latin@ Youth and Families" in the *Association of Mexican American Educators Journal*. In this article, Pantoja specifically focuses on the Latino demographic and explains that even though the Latino demographic is a minority population, they make up 35% of the United States prison population. This could be due to the traditional cause of "criminality," but Pantoja makes sure to mention the continuing criminalization of Latino immigrant families and youth. Unlike their Black (citizen) counterparts, Latino immigrants and youth are criminalized, not only for their identity, but for their citizenship status as well. Alicia Pantoja calls out the research on Black and Brown criminalization for not only disproportionately studying Black students, but for also not mentioning deportation and xenophobia as a common reason for the high rates of Latino youth criminalization. Pantoja references this specifically when she writes, "The school-based criminalization of families and students is defined by nativist ideologies" and "the myths of 'immigrants as criminals.'"⁶ It was not until 1982 that undocumented students were even allowed to enroll in public schools. Prior to that date,

undocumented students in many areas were prohibited from enrolling in public schools.⁷ Even to this day, school officials are still not in agreement about what the "protocol" should be around undocumented students in school. The National Association of Secondary School Principals notes that several conservative states, such as Arizona, Georgia, North Carolina and Texas, have laws in place criminalizing undocumented people, allow for the reporting of undocumented students to Immigration Customs Enforcement, and having school resource officers collaborate with Immigration Customs Enforcement.⁸ Neglecting to include deportation and xenophobia from studies about the school-to-prison pipeline does a huge disservice towards Latino youth and their communities.

As previously described earlier in the paper, it is obvious that Black and Brown students are being disciplined at higher rates than White students. But what are the consequences of that punitive punishment? Most likely, it will lead to further criminalization and incarceration. This can be due to the literal criminalization of a student, like an arrest or prosecution, or recurring absences due to repeated suspensions and expulsions. For example, in the book *The School-to-Prison Pipeline: Education, Discipline, and Racialized*

⁵ U.S. Department of Education Office for Civil Rights, *2013-14 Civil Rights Data Collection: A First Look* (Washington D.C., 2016), 3-5, <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>.

⁶ Alicia Pantoja, "Reframing the School-to-Prison Pipeline: The Experiences of Latina Youth and Families," *Association of Mexican American Educators Journal* 7, no. 3 (2013): 25.

⁷ *Plyler v. Doe*, 457 U.S. 202 (1982).

⁸ "Undocumented Students," National Association of Secondary School Principals, Accessed October 27, 2018, <https://www.nassp.org/policy-advocacy-center/nassp-position-statements/undocumented-students/>.

Double Standards by Nancy Heitzeg, Heitzeg tells the story of Adam Hernandez. Hernandez was facing criminal prosecution for allegedly stealing \$2.60 worth of chicken nuggets.⁹ Adam Hernandez's experience is just one, out many, with direct links between school and the criminal justice system. Once the student is criminalized at school, they have established a route towards prison. This is in part due to the presence of school resource officers. Heitzeg continues to cite a study that showed schools with police presence had five times the number of disorderly conduct arrests than schools with no police presence.¹⁰ Instead of attempting to fully understand why a student is acting out or stealing food, the school instead refers them to the criminal justice system. Who cares if they are dealing with abuse in the home, or the don't have access to food...lock them up! What educators and administrators fail to understand however, is that suspending and expelling Black and Latino kids cuts away at precious learning time, and causes them to fall further and further behind in school. At a certain point, these students begin to lose faith in the system, decrease class participation, and eventually drop out.

In the article *From Classmates to Inmates: An Integrated Approach to Break the School-to-Prison Pipeline* by Elizabeth Cramer et. al, Cramer et. al explains in great detail the connection

with the drop out process and the school-to-prison pipeline. Beginning with a student's first arrest - for instance, one arrest before the age of 16 - decreases a student's chance of graduating by almost 30%. If a student does not graduate with a high school diploma or equivalent, their chances of entering the incarceration system increases by 26%.¹¹ Now apply this evidence to Black and Latino students. Black students are twice as likely to drop out than white students, and Latino students are two and half times more likely to drop out than white students. Given this information, one can also then infer that Black and Latino students are at greater risk of moving away from education and into incarceration. The frequency of dropping out, and the high probability for incarceration, places a significant burden on Black and Latino youth, making it almost impossible to succeed in education at the same rate as White students. In the rare cases where Black or Latino youth who have dropped out, but have yet to interact with the criminal justice system, they will still face criminalization in legitimate job searches. In the book *Punished: Policing the Lives of Black and Latino Boys* by Victor M. Rios, Rios defines this as: "misrecognition." Rios elaborates when he says, "When the boys displayed a genuine interest in 'going legit,' getting a job or doing well in school, adults often could not recognize

⁹ Nancy A. Heitzeg, *The School-to-Prison Pipeline: Education, Discipline, and Racialized Double Standards* (Santa Barbara: Praeger, 2016), 3.

¹⁰ Nancy A. Heitzeg, *The School-to-Prison Pipeline: Education, Discipline, and Racialized Double Standards* (Santa Barbara: Praeger, 2016), 11.

¹¹ Elizabeth D. Kramer, Liana Gonzalez, Cynthia Pellegrini-Lafont, "From Classmates to Inmates: An Integrated Approach to Break the School-to-Prison Pipeline," *Equity & Excellence in Education* 47, no. 4 (2014): 461.



their positive attempts and sometimes interpreted them as rude or malicious acts and therefore criminalized them.”¹² Even when Latino and Black youth want to do better and play by the book, the system still rejects them. This rejection, especially in school, is what causes Black and Latino youth (in this case boys) to choose options like dropping out and participating in illegal activities. When an entire country and system is rigged against your success, of course one is going to give up trying to fit into said system.

In order to combat the racialized and life altering system that is the school-to-prison pipeline, a possible solution could be a “blended education.” A blended education is where students not only learn in person via teachers/classes, but also through solo online learning. Students would be able to have the educational structure that they are used to, but would also learn accountability and have personal space to complete their assignments. This new way of learning is discussed in the article *Getting At-Risk Teens to Graduation: Blended Learning Offers a Second Chance* by June Kronholz. In the article Kronholz explains that in blended schools, there is typically no law enforcement presence, no locks on the lockers, and little to no drama

among the students. Kronholz also cites a specific program called the Performance Learning Center, which is specifically geared towards at-risk students, previously labeled “difficult students,” or students on the brink of dropping out.¹³ Thankfully, this is not the only program. Other programs similar to P.L.C. or blended learning programs are popping up around the country. Programs such as these give agency back to the students, which re-establishes their interest in an education, and keeps them away from prison.

Yes, blended learning is not the holy grail of solutions for the school-to-prison pipeline. It is however, a stepping stone towards something more impactful. In addition to blended learning, there has to be a complete overhaul of the education system in the United States in order to prevent more Black and Latino youth from joining the criminal justice system. Temporary or “band aid” solutions will not achieve the improvements necessary to allow Black and Latino youth to catch up to their white peers. Until then, Black and Latino youth in the United States will continue to be targeted, ignored and discarded by the very system meant to encourage and inspire them.

¹² Victor M. Rios, *Punished: Policing the Lives of Black and Latino Boys* (New York: NYU Press, 2011), 98.

¹³ June Kronholz, “Getting At-Risk Teens to Graduation: Blended Learning Offers a Second Chance,” *Education Next* 11, no. 4 (2011): 24-31.

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