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THE IMPLICATIONS OF THE SCHOOL-TO-PRISON PIPELINE IN NEW YORK CITY
PUBLIC SCHOOLS ON AFRICAN-AMERICAN STUDENTS

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ABSTRACT

The school-to-prison pipeline is a national phenomenon that impacts schools across the country. Fundamentally, the pipeline funnels children as young as seven years old out of school and into the criminal justice system through suspensions, expulsions, arrests, and summonses. This system of mass incarceration is problematic on numerous levels, but especially in how it disproportionately affects African-American children. This thesis specifically focuses on the school-to-prison pipeline as it impacts African-American children attending New York City's public schools. To begin, this body of work examines what the school-to-prison pipeline is and how it is maintained in New York City schools. Then, using data collected from published reports and research, this work concludes that African-American students are more severely impacted by the school-to-prison pipeline than other students, especially White students. Although African-American students make up a small percentage of the public school student enrollment, they are suspended and arrested at double the rate of their enrollment. This epidemic is discriminatory, and has a negative impact on the success outcomes of these students. Ultimately, this body of work aims to increase awareness about what the school-to-prison pipeline is, and how it is destroying the future opportunities of America's African-American children.

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Chapter 1

Introduction

Purpose

The purpose of this thesis is to analyze the school-to-prison pipeline and its disparate impact on the lives of African-American and White students in New York City public schools. The objective of this thesis is to gain a better understanding of what the school-to-prison pipeline is and to determine how race factors into the disciplinary punishments faced by New York City public school students.

Statement of the Problem

The “school-to-prison pipeline” is a phrase that educational and civil rights activists have coined to describe the funneling of American school children out of the education system and into the criminal justice system. Since September 16, 1998, the New York City Police Department has, largely, determined and regulated the disciplinary practices on New York City public school grounds (Mukherjee 8). In turn, common, minor, school-age misbehaviors, such as talking back or disrupting class, are being treated as crimes, resulting in children as young as seven years old being arrested and taken to a local police precinct (Flatow). Such practices are overly harsh in their treatment and labeling of children. Moreover, these methods of discipline force children out of school and expose them to the criminal justice system at much earlier ages.

The school-to-prison pipeline has grave consequences for students. When students are suspended or expelled for minor infractions, this has a long-term impact on their educational

opportunities. Most often, when students are suspended or expelled, they are not given assignments to help them remain up to date on their school work. In turn, these students fall behind and sometimes are forced to repeat a grade as a result. Similarly, if students are forced out of school as a punishment, they are likely to become disengaged and discouraged from continuing their education. Studies have found a correlation between suspensions and dropout rates, finding that students who are suspended or expelled even once are more likely to drop out of school before graduation (Shah). Then, once students do decide to drop out of school, they have limited opportunities of employment. This will have a long-term impact, as those without a high school diploma will earn significantly less money than those with bachelor's or master's degrees. According to the National Center for Education Statistics, the average income of those without a high school diploma is approximately \$22,900, compared to those with a high school diploma, which is approximately \$30,000 ("Fast Facts: Income of Young Adults"). Therefore, it becomes clear that forcing students out of schools has a long-term, detrimental impact on their future opportunities in life.

Additionally, the stark racial disparity in the discipline faced by African-American children compared to White children suggests discrimination, stereotyping, and that Black students are treated unequally. In many New York City public schools, the percentage of African-American students who are suspended and arrested during the school year is nearly double the percentage of African-American students enrolled (New York City School-Justice Partnership Task Force). As a result of such grave statistics, this thesis will focus specifically on New York City public schools and how the school-to-prison pipeline impacts African-American students in one city. This body of work will help clarify some common misunderstandings about the school-to-prison pipeline and its implications on the lives of African-American students.

Additionally, from this research, recommendations can be made to better the New York City public school system in this regard.

What is the School-to-Prison Pipeline?

As defined by the American Civil Liberties Union, the “school-to-prison pipeline” is a term that describes the “policies and practices that push our nation’s schoolchildren, especially our most at-risk children, out of classrooms and into the juvenile and criminal justice systems.” (“What is The School-to-Prison Pipeline?”). While the phrase itself has recently been coined by educators and advocacy groups to describe the disciplinary epidemic plaguing American schools, the policies and practices that make up this pipeline are not as new. Some of these policies are decades old, and have merely become harsher in recent years. Many scholars attribute zero tolerance policies as the primary contributor to the school-to-prison pipeline. Others note the increased policing of schools and high stakes testing as other elements that greatly contribute to the school-to-prison-pipeline epidemic. These theorized contributions to the school-to-prison pipeline will be analyzed in greater detail in the subsequent chapter.

Background on the New York City Public Education System

On September 16, 1998, during the term of former New York City mayor Rudy Giuliani, the New York City Board of Education unanimously voted to transfer the management of the Board’s Division of School Safety to the New York City Police Department (Mukherjee 8). According to a commission Mayor Giuliani appointed three years prior, the Board of Education’s Division of School Safety had failed to maintain security in the city’s schools and believed a

police presence would increase school safety (Mukherjee 8). In turn, New York City police officers were stationed in and around schools. School safety agents (SSAs), who are members of the NYPD School Safety Division, were hired to “provide security and ensure the safety of students, as well as faculty and visitors in New York City Public Schools.” (“NYPD School Safety Agent Application”). Essentially, school safety agents are school security guards. With the changes in security policies under Mayor Giuliani, the authority of police officers and SSAs increased as they became the primary disciplinarians within schools. The increase in authority gave school safety agents the power to arrest students as they saw fit (Mukherjee 8).

In 2002, during the first term of Mayor Michael Bloomberg, the control of New York City public schools was transferred from the New York City Board of Education to the newly created New York City Department of Education, which is a sector of the city’s mayoral office (“Guide: Understanding New York City Schools”). Thus, the mayor now maintains control over New York City’s public education system.

During the early years of Mayor Bloomberg’s term, he implemented different programs that increased the presence and power of police officers in city schools. In 2004, the Impact Schools program was initiated, which targets schools with reportedly high crime by increasing policing practices in hopes of making the schools safer. According to the “Criminalizing the Classroom: The Overpolicing of New York City Schools” publication by the New York Civil Liberties Union, the Impact Schools program “doubles the number of police officers permanently assigned to targeted schools; institutes a zero-tolerance policy for infractions listed in the New York City Discipline Code; and expedites the removal of students via suspension procedures” (Mukherjee 9). Two years after introducing the Impact Schools program, Mayor Bloomberg implemented a “roving metal detectors” program, which requires all middle and high

school students at targeted schools to pass through a metal detector upon entering the school building, and in certain instances, students are searched by the police. The intended goal for this program was to “catch students by surprise and to reduce the number of weapons in the school” (Mukherjee 9).

Since school safety responsibilities have been transferred to the New York City Police Department, there are currently more than 5,000 school safety agents and over 200 police officers working in New York City schools (New York City School-Justice Partnership Task Force 3). These agents and officers are a part of the New York City Department of School Safety Division, which is currently one of the largest law enforcement divisions in the country (New York City School-Justice Partnership Task Force 3). According to research by the New York Civil Liberties Union, New York City schools have a higher number of school safety agents and policemen per student than some cities, such as Houston, Texas, have police officers per citizen (“A Look at School Safety”). Such a presence has significantly increased the number of summonses and arrests of students for the most non-criminal of behaviors. In fact, there were even instances of school principals and teachers also being arrested. In 2005, two teachers at the New School for Arts and Sciences in the Bronx were arrested for disorderly conduct when they questioned a police officer’s decision to arrest students after a fight (Lieberman). In 2007, the principal of East Side Community High School was arrested when he tried to intervene after cops arrested one of his students (Medina). These examples suggest how widespread police power is in schools. This unchecked power caused many advocacy groups to work together to “end police abuse in schools...” (“The Student Safety Act”).

In January of 2011, after a four-year campaign by the New York Civil Liberties Union and other advocacy groups, Mayor Bloomberg signed the Student Safety Act into law (“The Student Safety Act”). According to the New York Civil Liberties Union, this Act:

...requires quarterly reporting by the Department of Education and the NYPD to the City Council on school safety and disciplinary issues, including incidents involving arrests and suspensions of students. It provides the public with raw data to study the impact of disciplinary practices and encourage the crafting of more effective policies (“The Student Safety Act”).

The Student Safety Act is a significant step in exposing the effects of the over-policing of New York City schools. However, there is still much work to be done. Today, the New York City public school system serves over 1 million students and over 93,000 of those students are still required to pass through a metal detector to enter their schools (Mukherjee 7). In September 2014, *The New York Times* reported that current New York City Mayor Bill de Blasio’s administration has plans to implement improvements to school discipline, but little has yet to be changed (Harris).

It is important to have a general understanding of how the New York City public school system functions and under which policies in order to fully understand the importance of finding a solution to the school-to-prison pipeline issue.

Significance of the Thesis

This thesis is significant because it sheds light on one of the many problems in America’s education system. While this body of work will argue that the school-to-prison pipeline is most detrimental to African-American students, it does have an impact on all New York City public school students. This work will add to already existing literature related to the school-to-prison

pipeline by focusing most specifically on the state of the public education system in New York City. New York City public schools are significant for two primary reasons: firstly, since NYC has the largest school districts in the United States, there are many different examples of successful and unsuccessful schooling procedures to draw from. Secondly, New York City has the Student Safety Act, which increases accessibility to data related to the effects of policing. This thesis is intended to benefit boards of education in all cities, but especially New York. It is also beneficial to lawmakers, educators, students, and advocacy groups working to end the school to prison pipeline in American education systems.

Hypothesis

When compared to White students, African-American students in the New York City public school system are more likely to be negatively impacted by the school-to-prison pipeline.

Methodology

The data collected for this work are from various sources, including books, newspaper articles, scholarly journals, websites, and documentaries.

Research Questions

1. What is the school-to-prison pipeline?
2. Are there racial disparities in the school-to-prison pipeline, in regards to New York City public schools?

3. Why are African-American students treated more harshly than students of other races in terms of school punishment and discipline?
4. How can the school-to-prison pipeline issue be resolved in New York City public schools?

Chapter 2

Literature Review

Introduction

This chapter provides an overview of the current literature that considers the school-to-prison pipeline. This chapter will explore the various elements that make the school-to-prison pipeline such a detriment to the American education system. While this thesis focuses specifically on New York City schools, the literature review includes nationwide studies of the school-to-prison phenomena. In turn, readers will gain a better understanding of the current scholarship available that is related to the school-to-prison pipeline.

Mass Incarceration and the School-to-Prison Pipeline

When analyzing the school-to-prison pipeline, it is important to also understand the significance of mass incarceration in today's criminal justice system. It is difficult to examine the school-to-prison pipeline as an independent system that functions completely unrelated to some of the larger, institutionalized systems in our society, such as our criminal justice system. Through a better understanding of mass incarceration and the functions of our criminal justice system, readers will have a better understanding of the severity of the school-to-prison pipeline.

What is Mass Incarceration?

According to Michelle Alexander, a civil rights lawyer and legal scholar, “mass incarceration” is a “massive system of racial and social control” (“Michelle Alexander: A System of Racial and Social Control”). While the phrase most pointedly describes the incarceration of a large number of people in our criminal justice system today, Alexander stresses in her description how such a system of incarceration stifles the freedoms of those who are imprisoned. In her interview with PBS’ *Frontline* (“Michelle Alexander: A System of Racial and Social Control”), Alexander explains that mass incarceration is:

the process by which people are swept into the criminal justice system, branded criminals and felons, and locked up for longer periods of time... then released into a permanent second-class status in which they are stripped of basic civil and human rights, like the right to vote, the right to serve on juries, and the right to be free of legal discrimination in employment, housing, and access to public benefits.

Such a definition of mass incarceration is important because it highlights many of the inherent injustices found in our criminal justice system. People in our country are not only being arrested at increasing rates for drug offenses or nonviolent crimes, but as a result, they are losing their human rights because of their criminal status.

According to Heather Thompson, a professor of African-American Studies and History at Temple University, patterns of mass incarceration can be traced back to the 1970s. Thompson notes in her work for the *Journal of American History* that the number of prisoners in federal and state penitentiaries from the 1960s to 1995 increased by over 1 million people, suggesting that there was a shift in policies and practices of incarceration (Thompson 704). Most notably, many scholars and studies have found correlations between the increase in the prison population and the introduction of harsher sentencing laws during the “War on Drugs” era. Acknowledging that crime rates were on the rise in the 1960s, these punitive measures were implemented in the

1970s and 1980s in an effort to curb the increasing crime rate. However, the problem lies in the fact that since the 1960s, crime rates have significantly decreased, yet, such practices of incarcerating people for drug offenses and nonviolent crimes persists (The Editorial Board).

Additionally, scholars note the inherent inequalities in our criminal justice system, particularly in regards to the demographic of people mostly incarcerated. In her article, Thompson notes, as other scholars and studies have, that there is an overwhelmingly large population of African-American men in today's prisons. According to Thompson, in 2006, "one in fifteen black men over the age of eighteen were behind bars as were one in nine black men aged twenty to thirty-four" (Thompson 703). As previously noted, scholars also highlight the injustices in post-prison treatment, as convicted individuals are stripped of some of their civil and human rights. Individuals who have been convicted of felonies: lose their right to vote in some states, cannot get government financial or housing assistance, have difficulty getting a job, and cannot get professional licenses ("Michelle Alexander: A System of Racial and Social Control"). It is evident that our criminal justice system is not helping to better our society, but merely creating a deeper racial and economic divide. When paralleling such information about our criminal justice system with the school-to-prison pipeline, it becomes clearer where the foundations of these harsh disciplinary procedures lie.

Relationship to the School-to-Prison Pipeline

Mass incarceration policies and the "tough on crime" mentality that began in the 1960s has definitely influenced the disciplinary procedures in school policies. This shift is especially evident in how seemingly "criminal" behavior is viewed and treated in today's schools. Heather

Thompson traces these punitive practices and increased authority of the security officers hired to enforce these rules back to the late 1960s (Thompson 710). She specifically notes the Baltimore City Schools, which had police officers present in their schools as early as 1967 (Thompson 710). Throughout the 1970s, the number of police officers in Baltimore city schools continued to increase. In 1984, the Baltimore School Police Force was created, which functioned similar to the school safety agents in New York City public schools. From 1984 to 1991, the authority of such school police officers continued to increase, especially after the Maryland General Assembly decided to begin training and arming school police officers in the same ways other law enforcement agents in Maryland were trained and heavily armed (Thompson 710). Implementing such measures to secure schools and enforce disciplinary rules suggests that the “get tough on crime” mentality was also present in school systems.

Mass incarcerations are also related to the school-to-prison pipeline in that the school-to-prison pipeline is, in essence, a subsection of the mass incarceration movement. However, the targeted demographic of those being incarcerated are children, namely minority or disabled children. When students are being arrested for minor infractions, such as having a cell phone in school, or talking back to a teacher, these are signs that our criminal justice system seeks any reason to sweep students into the criminal justice system. The same way our criminal justice system no longer aims to rehabilitate prisoners, our school systems no longer focus on educating children. Thus, whether in school or in their neighborhoods, youths’ behaviors are constantly being criminalized.

Zero Tolerance Policies

The term “zero tolerance policies,” as used in relation to the school to prison pipeline, is borrowed from the rhetoric of the national “War on Drugs” that began in the 1970’s. Similar to the zero tolerance policies of our criminal justice system, which are largely to blame for the high incarceration rates, the zero tolerance policies in today’s schools impose strict, mandatory punishments for the violation of school rules, with little regard to the “seriousness of the behavior, mitigating circumstances, or the situational context” (Heitzeg 8). The punishments for violating zero-tolerance policies may include suspension, expulsion, summonses, and arrest.

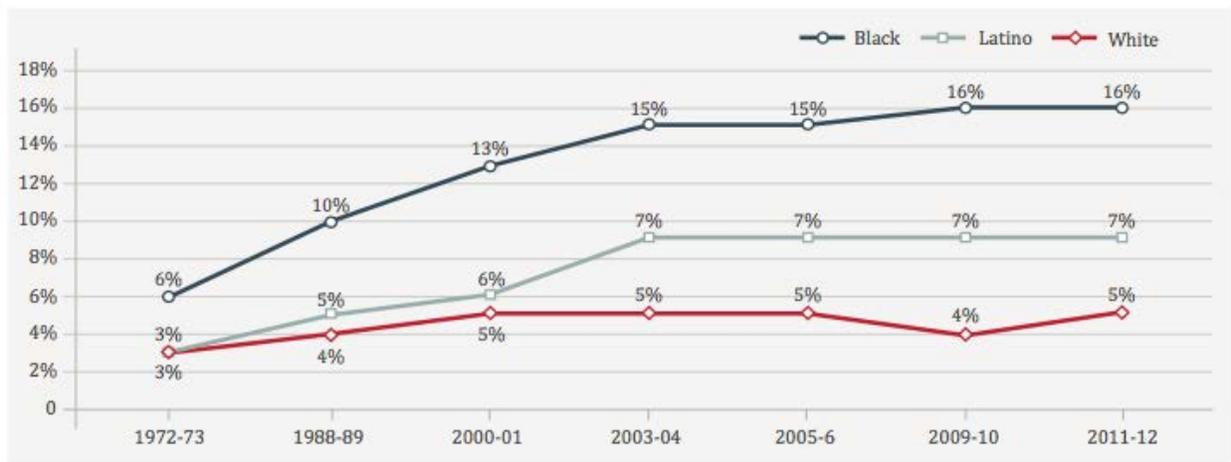
In schools, the seeming need for zero tolerance policies began to emerge in the late 1980’s when there was an increase in the number of juvenile arrests for violent crimes. Later, in 1994, the Gun-Free Schools Act was passed by Congress, which only added to the “tough on crime” and rising zero tolerance climate of discipline for in-school infractions (Kang-Brown, Trone, Fratello, and Daftary-Kapur 1). The Gun-Free Schools Act of 1994 forced states where schools received federal funds to pass laws requiring that schools expel students, for one calendar year, if they bring a weapon to school and districts must report the student to law enforcement (Heitzeg 8-9). The Gun-Free Schools Act is considered one of the first policies that initiated the implementation of other zero tolerance policies in subsequent years. Although the Gun-Free Schools Act initially focused on eliminating guns from schools and school zones, state lawmakers quickly broadened the scope of the Act to include other weapons, drugs, alcohol, and violence. According to the National Association of School Psychologists, based on data from the U.S. Department of Education and the Center for Safe and Responsive Schools, 75% of schools that reported having zero tolerance policies stated that they were for offenses such as: firearms (94%), weapons other than firearms (91%), alcohol (87%), violence (79%), and tobacco (79%)

(“Zero Tolerance and Alternative Strategies...”). Such figures would suggest that zero tolerance policies are necessary, as they prevent some of the most dangerous behaviors or substances from being permitted on school grounds.

However, as many researchers have found, the application of zero tolerance policies has been largely directed towards minor, non-violent behaviors that are common amongst school-age children. There have been reported incidences of students being suspended for having their cell phones at school (The America Tonight Digital Team), children as young as five years old being handcuffed and taken to a psychiatric hospital for having a tantrum (Heitzeg 10), and a 12 year old being suspended for doodling on her desk (Cregor and Hewitt 5). In their video segment, “Gone Too Far: Our Kids in Handcuffs,” (*American Civil Liberties Union*) The American Civil Liberties Union highlights the story of Kyle Thompson, a 14 year old boy from Michigan. One day in school, Kyle’s friend found a note in his notebook and tried to take it. Kyle began tugging on the note to get it from his friend when their teacher came over. At first, Kyle and his teacher playfully tugged on the paper, then his teacher suddenly grew serious, beckoned the hall monitor, and Kyle was later handcuffed and taken to the police station. As a consequence, Kyle was suspended from school for 180 days under Michigan’s zero tolerance policies and he is not allowed to attend school functions such as football games, even as a spectator. In some states, behaviors, such as consistently being late for school, can cause a student to face fines, summonses, and warrants. In a documentary, “Fault Lines - The School to Prison Pipeline,” by Al Jazeera America (*Fault Lines-The School-to-Prison Pipeline*), viewers meet Jennifer Torres, who is a senior in a Texas high school and must pay \$7,000 in fines for the number of times she was late to school. In Texas, if students are late more than three times, it counts as an unexcused absence. More than 10 unexcused absences results in a \$500 fine. If those fines are unpaid after

the student has turned 17 years old, there is a warrant issued for them to appear in truancy court. Jennifer had no idea about any of these policies and explained that her tardiness to school was due to the lack of sleep she got each night, as she also worked as a full time janitor to help with her family's finances. Since these policies leave little room for students to explain their circumstances, the punishments are especially harsh towards some of the most harmless of situations. Moreover, as Jennifer stated in her interview, many question how effective these policies are, as they push an increasing number of students out of school instead of encouraging them to stay in school. Additionally, some have questioned whether these policies are actually making schools safer and have examined what some of the effects of zero tolerance policies are.

Suspensions and Expulsions



Data Source: U.S. Department of Education, Office for Civil Rights

Figure 1 Suspension Rates Over Time by Race and Ethnicity, K-12.

Source: Losen, Daniel, and Cheri Hodson. *Are We Closing the School Discipline Gap?* Rep. Los Angeles: Center for Civil Rights Remedies, 2015. Print, 5.

Many researchers and scholars note the increasing number of suspensions and expulsions, summonses and arrests that students now face as a result of these policies. Although violence in schools have been found to be stable or declining (Heitzeg 13), students are being suspended and expelled at twice the rate they were in 1974 (Heitzeg 13). As evidenced in figure 1, when the rates of suspension are analyzed based on race/ethnicity, the differences are even more striking. It becomes apparent that students of color are suspended at higher rates than white students. Research by Daniel J. Losen and Tia Elena Martinez of The Center for Civil Rights Remedies at UCLA's Civil Rights Project found that 2,624 secondary schools in the country reported suspending 25% or more of their total student body (3). According to Losen and Martinez, it is estimated that nearly two million students, nationally, were suspended during the 2009-2010 academic year (3), yet in 2013, a little over three million children graduated from high school (Kang-Brown, et al 3). Such figures put into perspective how expansive suspension and expulsion rates are in today's schools; nearly as many students are being suspended as the number of students graduating. While in previous years, students may have gotten detention for a few hours or were given in-school suspensions, these current practices force students out of school for an extended amount of time.

Studies have found a correlation between suspensions and the likelihood of a student dropping out. According to Losen and Martinez, if students in the ninth grade are suspended only once, there is a 32% chance of students dropping out of school before graduating (1). Similarly, a study of Florida high schools conducted by Robert Balfanz, Vaughan Byrnes, and Joanna Fox from Johns Hopkins University found that as the number of suspensions for a student increases over their time in school, their chances of dropping out also increase (8). Consistently removing students from the school environment only makes them less engaged in school and makes it

harder for students to get back on the academic track after spending an extended amount of time out of school. Moreover, suspensions and expulsions categorize students as being “trouble makers” or “problem students,” which may have an impact on their self-image and confidence. The American Psychological Association’s Zero Tolerance Task Force stated in an article, “Are Zero Tolerance Policies Effective in the Schools,”

... concern has been raised in the literature that zero tolerance policies may create, enhance, or accelerate negative mental health outcomes for youth by creating increases in student alienation, anxiety, rejection, and breaking of healthy adult bonds (856).

Similarly, Alan Singer, a professor at Hofstra University, stated to *The Huffington Post* in “Why Many Inner City Schools Function Like Prisons,”

The ultimate goal of school policy is to sort [students] out with a few destined for success, some to menial jobs, and others for imprisonment. When these pipeline schools do their jobs well, the young people who fail are convinced they failed because it was their own fault and that they deserved their punishment. When students are suspended and expelled, they may begin to internalize the effects of their behaviors, causing them to blame themselves and change their relationships with others. The effects of increased reliance on suspension and expulsion does not only negatively impact a student’s educational opportunities for advancement, but also their mental health and self-confidence. Such negative effects, researchers find, are especially felt by minority students.

Racial Disparities

Another major concern with zero tolerance policies are the racial disparities found in their application. Based on research, it is evident that disproportionately more African-American students are expelled, suspended, or arrested when compared to students of other races (Lewin). Although there is no evidence that Black students are worse behaved than their white peers, they

are still three times more likely to be suspended or expelled (The America Tonight Digital Team). According to Kang-Brown, Trone, Fratello, and Daftary-Kapur, African-American middle school students are four times as likely to be suspended compared to their white counterparts, and Latino students are twice as likely (3). Surprisingly, although African-American students nationally make up approximately 17% of the population of students, they account for 37% of suspensions and 35% of expulsions, according to Nancy Heitzeg (12). Thus, African-American students are being suspended and expelled at double the percentage of their enrollment.

Earl O. Hutchinson, an author and political analyst, theorizes that such a racial disparity might be attributed to how differently these policies are enforced, depending on the student. In his article for *The Huffington Post*, “For Black Students the School to Prison Pipeline Is in Higher Gear than Ever,” Hutchinson suggests that Black students are punished more punitively for more subjective behaviors, such as talking back or disrupting class. Such behaviors are not criminal, but are determined to be unacceptable by teachers or school administrators, who will then pursue the punishment they deem appropriate. Alternatively, white students are found to be punished for behaviors that are clearly outlined in certain policies, such as vandalism or smoking. Such a distinction is important because it attempts to explain why the rate of suspension is much higher for African-American students. If Black students are being disciplined for more subjective behaviors, this increases the discretion of the teachers and school administrators to decide how they might want to punish students, rather than following the stated policies.

Furthermore, researchers, such as Nancy Heitzeg, have noted the differences in the classifications of White student’s behaviors compared with Black students. While most African-

American students are subjected to the punishments put forth by zero tolerance policies, most White students who misbehave are viewed as needing medical attention for some deficit or disorder. Therefore, once a student's behavior is medically labeled, it changes how they are treated or disciplined by school officials, especially if the student is White. According to Heitzeg, teachers are more likely to expect and accept an ADHD diagnosis as being an issue for White boys (12).

Another widely accepted theory is that racial profiling and stereotyping is largely to blame for the racially disparate outcomes in school discipline. Considering the history of stereotyping of African-Americans, especially Black males being viewed as criminal and dangerous, these perceptions seem to be impacting the treatment of students in schools. There is evidence of such stereotyping in the treatment of children as young as three years old. Tunette Powell, a motivational speaker and author, chronicles the experiences of her young sons, JJ (four-years old) and Joah (three-years old), in an article for *The Washington Post*. Powell shares that her son JJ had been suspended from pre-school for one day for throwing a chair. Although, she writes, that the chair did not hit anyone, JJ was still suspended because the chair could have hit someone. Her younger son was suspended from pre-school for hitting a staff member, thus making him a "danger to the staff." Powell notes that together, her two young sons were suspended from school eight times in 2014. After sharing her son's experiences with their classmates' parents, Powell learned that other students (White students) had behaved far worse than JJ and Joah, but were not suspended; their parents merely received a phone call. One mother admitted to Powell that her child "threw something at a kid on purpose and the kid had to be rushed to the hospital," yet her child was not suspended. The experiences of Powell's sons are a prime example of how African-American children are viewed and treated differently. In their

cases, JJ and Joah's actions were punished as a precaution to what could have been a dangerous situation; the children were viewed and labeled dangerous, and thus were suspended. This treatment coincides with the stereotypical view of African-Americans as dangerous.

Teachers, school administrators, and even police officers enter the schools with preconceived notions that Black students are more violent and dangerous, thus making their reactions to the minor infractions of Black students much more severe. As social scientist Carla Monroe (2005) notes in her work "Why Are 'Bad Boys' Always Black?: Cause of Disproportionality in School Discipline and Recommendations for Change,"

On one level, researchers widely recognize that teachers frequently approach classes populated by low-income and African American youths with a strong emphasis on controlling student behaviors. Custodial tendencies tend to be most pronounced with low-ability level and male students. On a second level, practitioner responses to incidents of perceived misbehavior tend to reside at either extreme of the disciplinary continuum. That is, when disciplining African-American students, teachers are likely to demonstrate reactions that appear to be more severe than required (46).

Monroe highlights, as have other scholars, the idea that teachers are not as prepared to enter the classrooms and deal with students who misbehave, or students who are of a different race.

American Psychologist Association Zero Tolerance Task Force names "lack of teacher preparation in classroom management, lack of training in culturally competent practices, [and] racial stereotyping" as potential reasons for the racial disparities in the disciplining of students (854). Howard Witt, a senior correspondent for the *Chicago Tribune* notes in his article, "School Discipline Tougher on African-Americans" the lack of understanding teachers might have towards their students' cultures:

Some experts point to cultural miscommunications between black students and white teachers, who fill 83 percent of the nation's teaching ranks. In fact, the Tribune analysis found, some of the highest rates of racially disproportionate discipline are found in states with the lowest minority populations, where the disconnect between white teachers and black students is potentially the greatest.

These theories all aim to explain why the racial disparity in school discipline significantly impacts African-American students at a more drastic and negative rate under the zero tolerance policies.

Policing in Schools

With the implementation of zero tolerance policies came an increase in the number of police officers placed in and around schools, who were charged with the responsibility of keeping the schools safe. Behaviors that students were once sent to the principal's office for are now resulting in a call to the police, which allows law enforcement officers to have a greater stake in controlling how school children are disciplined for misbehaving. Federal and state governments have even supported these policing efforts by offering schools additional funding to hire security guards and law enforcement officials, as well as for the installation of metal detectors. From the 1996-1997 school year to the 2007-2008 school year, research has found that the number of law enforcement and security guards at schools has tripled (Kang-Brown, Trone, Fratello, and Daftary-Kapur 2). Additionally, students are subjected to passing through metal detectors upon entering their schools, or they may be randomly searched by an officer, which creates an environment that is less focused on learning, and more focused on punishment.

The policing of schools not only impacts the students, but also the faculty and staff. In one incident reported in *The New York Times* in 2007 (Medina), a principal of a New York City high school was arrested when he tried to intervene after one of the students had been arrested. The principal, Mark Federman, was arrested and charged with "obstructing government activity

and resisting arrest” when he tried to instruct officers who had just arrested one of his students, Isamar Gonzales, to exit with the student through a different door. Gonzales reportedly got into an altercation with school security when she arrived at school early but was asked to leave. She allegedly hit one of the officers, which resulted in her being arrested (Medina). This is not the first reported incident of a principal or teacher being arrested on school grounds, which suggests that the policing issue does not only impact students, but all members of the school’s community. Moreover, this incident reveals how blurred the responsibilities of the police officers at schools are: is their role to keep students safe or to discipline them?

Researchers are finding that the presence of police officers in today’s schools are not necessarily making schools safer. Students have reported feeling and being treated as criminals (Lieberman). Studies have found that “... for no crime type was an increase in the presence of police significantly related to decreased crime rates” (The Sentencing Project 1). In fact, the opposite has been found, as “... more crimes involving weapons possession and drugs are recorded in schools that add police officers than in similar schools that do not” (The Sentencing Project 1). Additionally, it has been found that more serious violence, such as homicide, rarely occurs on school grounds (The Sentencing Project 1). Overall, school violence has been on the decline since the mid-1990’s, therefore it is confusing why the government insists on providing funding for increased policing of schools. Moreover, many of the widely known incidences of school shootings in recent years have occurred in predominately white, suburban schools, yet there tends to be an increase in the number of police placed in urban schools (Advancement Project 4). Therefore, research seems to suggest that the presence of police officers in schools merely destabilizes the learning environment, does not make schools safer, and has a negative impact on the learning abilities and feelings of students. Moreover, police presence has caused an

increase in arrests and summonses, as police are responsible for enforcing zero tolerance policies. However, many officers are punishing students for non-criminal behaviors, which adds to the controversy over their presence in schools.

High Stakes Testing

In 2001, the No Child Left Behind Act dramatically changed the nature of school curriculums and their reliance on standardized testing. Although the Act's primary focus was on increasing federal funding for K-12 school programs, it also implemented a heightened testing requirement (Federal Education Budget Project). As a result, the success of many schools were predicated on the student's success on standardized tests. Educators were questioned about whether or not they were properly teaching students, with some at risk of losing their jobs because of low-test scores. According to research by the Advancement Project, from 2003 to 2008, there was an increase of 11 states threatening to convert their lowest scoring schools into charter schools (Advancement Project 2010, 25). Moreover, as of 2008, there were 23 states that required students to take a high school exit exam to graduate. As The Advancement Project notes, many of these states "constitute most of the lowest-performers nationally with regard to graduation rates" (2010, 26). Therefore, these tests will only make it more difficult for students who are already struggling academically to graduate.

The problem with high stakes testing, and how it relates to the school-to-prison pipeline, is best described by The Advancement Project's article, "Test, Punish, and Push Out: How 'Zero Tolerance' and High-Stakes Testing Funnel Youth Into the School-To-Prison Pipeline,"

Too many children continue to be labeled academic failures even though they are making progress. These students are shamed by their peers, their teachers, and their communities

because of the impact their test results can have on school assessment. The effect of these reforms has been that students are often viewed as little more than test scores, which has had a profoundly alienating and dehumanizing effect on many young people (26).

High stakes testing makes students feel inadequate when they do not meet the standard. In turn, they often opt to drop out of school, will be disruptive to ensure they are suspended, or will try to graduate from high school but be denied because they failed their exit exam (Advancement Project 2010, 29). All of these effects push students out of school. While high stakes testing does not impact the school-to-prison pipeline as directly as suspensions or arrests, the effects of the pressure put on students and teachers to ensure they are meeting testing standards causes too many students to be pushed out of school.

Combating the School-to-Prison Pipeline

While much of the current literature on the school-to-prison pipeline focuses largely on the aforementioned subcategories to explain the nature of the school-to-prison pipeline and why it is a major educational equity issue, some literature focuses on what schools across the country have been doing differently to combat the pipeline.

In July 2011, the United States Attorney General, Eric Holder, and the Secretary of Education, Arne Duncan, in conjunction with the United States Department of Education and U.S. Department of Justice, launched the Supportive School Discipline Initiative (SSDI) (Office of Public Affairs). The initiative was crafted in response to data revealed in a Texas-based study, *Breaking School Rules*, which revealed surprising facts about Texas' school discipline model (United States 1). The aims of the SSDI are to, essentially, combat the school-to-prison pipeline, specifically “the disciplinary policies and practices that can push students out of school and into

the justice system.” (Office of Public Affairs). To accomplish this goal, the initiative seeks to, “coordinate federal actions to provide schools with effective alternatives to exclusionary discipline while encouraging new emphasis on reducing disproportionality for students of color and students with disabilities” through four primary strategies. These include, “building consensus; investing in research and data collection; issuing guidance; and building awareness, capacity, and leadership” (United States 1). According to the New York Civil Liberties Union, the Supportive School Discipline Initiative is the first of its kind from the federal government in response to the school-to-prison pipeline (Pownall 9).

In October 2012, the United States Department of Justice filed a lawsuit in Mississippi for the violation of children’s constitutional rights when maintaining the school-to-prison pipeline (The United States Department of Justice). The lawsuit was specifically against the city of Meridian, Lauderdale County, judges in the Lauderdale County Youth Court, and the state of Mississippi. In the suit, the Department of Justice claims that children’s Fourth, Fifth, and Fourteenth Amendment rights are being violated when they are arrested for minor, in-school infractions because such punishments are disproportionate to the “crime” and violates due process of the law (The United States Department of Justice). According to the article in *The Huffington Post*, “Meridian, Mississippi Sued by Federal Civil Rights Lawyers for Operating ‘School-to-Prison’ Pipeline,” some of these violations included, “making children wait more than 48 hours for a hearing and admit to formal charges without first being advised of their Miranda rights.” While research has shown that these disciplinary measures are present in many schools across the country, Meridian and Lauderdale County were sued because the local authorities in these cities did not cooperate with federal investigators (Frieden).

In other schools throughout the country, local officials or school administrators have taken the initiative to change how discipline is enforced in their schools or districts. For example, the Texas state legislature voted to eliminate their state's zero tolerance laws (Jefferson). Instead, they opted to require school districts to "consider mitigating circumstances, including self-defense, intent, disciplinary history, and a student's disability, before making a disciplinary decision" (Jefferson). Additionally, the Texas legislature has

...repealed a statutory provision that allowed school districts to charge students with a Class C Misdemeanor for any code-of-conduct violation, eliminated 'persistent misbehavior' as a reason for expulsion, eliminated ticketing of young students for nonviolent misbehavior and truancy, and reserved ticketing of older students as a last measure (Jefferson).

School administrators in Texas have also taken additional steps to combat the pipeline. Many school districts have adopted "Positive Behavioral Interventions and Supports Systems," which essentially aim to decrease "disciplinary actions and dropout rates while improving academic performance by modeling and reinforcing positive student behaviors" (Jefferson). Similarly, at Garfield High School in Los Angeles, California, the school principal, Jose Huerta, has implemented a counselor-based action plan to deal with student misconduct. Rather than immediately suspending a student for misbehaving, Huerta shares in the *NPR* article, "Why Some Schools Want to Expel Suspensions," that teachers will work with the student and counselors or their student support team to seek the underlying explanation for such behavior (NPR Staff). He states,

Ninety percent of the time, we find out something happened the night before... But these are teenagers. They're not going to go and cry to anybody, they're [in] a tough neighborhood... so when that kid acts out, we get in his face immediately... and we resolve it. And you know what? These kids respond well. Their needs were met (NPR Staff).

At Garfield High School, they do not have the money to hire a full staff of counselors, so Principal Huerta has relied on parents and nonprofit community groups to help with this sort of behavioral intervention (NPR Staff).

Such measures of combating the school-to-prison pipeline, whether it be via the courts, as in Mississippi, or through innovative school administrators changing the status quo, provide a sense of hope that the school-to-prison pipeline can be dismantled.

Conclusion

The school to prison pipeline is a complex system of practices and policies that have been found to negatively impact students. The primary elements of mass incarceration, zero tolerance policies, police presence in schools, and high stakes testing, have been found to largely contribute to the increasing number of students being pushed out of the school system and into the criminal justice system. The process of funneling students from one system to the other is expedited when there is constant police presence in the schools, and students have a higher chance of being arrested on school grounds for minor infractions. Additionally, as schools are transformed into factories that constantly focus on preparing students for an upcoming standardized test, students lose interest in their studies. The racial disparities that underlie all of these practices is a major concern in relation to the effects of the school to prison pipeline, and will be explored more deeply. Yet, as the examples of Texas school districts and the Mississippi lawsuit show, it is possible to combat the school-to-prison pipeline. Additional recommendations to end the pipeline will be addressed in subsequent chapters.

Chapter 3

New York City Public Schools: Findings

Introduction

This chapter will examine, in greater detail than previous chapters, some of the specific findings related to how the school-to-prison pipeline functions in New York City public schools. Through data collected from various studies and research conducted by scholars and civil rights organizations on this issue, this chapter will provide a synopsis of how the school-to-prison pipeline affects New York City public school students. The chapter will first provide information on some of the ways the school-to-prison pipeline exists and is maintained in New York City public schools. Then, it will explore how these data relate to the impact race/ethnicity, socioeconomic status, and other factors play in creating disparities between students in areas such as suspensions, arrests, and expulsions. These data selected for analysis in this chapter will specifically focus on racial disparities between African-American and White students.

Subsequently, this chapter will then analyze some of the implications and consequences the school-to-prison pipeline has on New York City public school students. The ultimate aim of this chapter is to establish a framework of the circumstances in New York City, with hopes of later making recommendations to one day dismantle the school-to-prison pipeline in this city.

The School-to-Prison Pipeline in New York City Public Schools

Similar to other schools across the country, New York City public schools continuously feed the school-to-prison pipeline through suspensions, expulsions, arrests, and summonses.

However, some practices might be different in New York City, compared to other cities, thus, an overview of what these practices are is essential to understanding the gravity of the circumstances.

According to the report, “A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline,” there are two types of suspensions in New York City public schools, principal’s suspensions and the superintendent’s suspensions (Pownall 7). The difference between the two is the length of the suspensions they impose. Principal’s suspensions can last up to five days, while the superintendent’s suspensions may last an entire academic year or 180 days of instruction (Pownall 7). According to the report, the average length of a superintendent’s suspension is approximately 23 days (Pownall 7). In New York City, there are also mandatory suspensions, which relates to the list of behaviors in the New York City School Discipline Code for students in grades 6-12 that require suspension, and discretionary suspensions, which gives school administration and staff the discretion to suspend as they deem necessary (New York City School-Justice Partnership Task Force 2). The problem lies in whether or not school staff are following the guidelines for suspensions, according to the NYC School Discipline Code- more often than not, they are deviating from the Code.

In regards to expulsions, the New York City Department of Education stipulates that expulsions are only permitted “for students without disabilities who turned 17... before July 1 of the current academic year” (Pownall 7). In New York City, there are two types of arrests, juvenile and adult. Juvenile arrests are for those students who are between the ages of seven and 15. Typically, their cases will be handled in Family Court, unless it is diverted to adult court for “egregious offenses” (New York City School-Justice Partnership Task Force 1). Adult arrests are for students 16 years of age and older, and their cases are either referred to the New York City

Criminal Court or the New York City Supreme Court, depending on the severity of the offense (New York City School-Justice Partnership Task Force 1).

Lastly, summonses are written tickets, from police officers or school safety agents, which requires a student, age 16 years or older, to appear in Criminal Court for their violation or offense (New York City School-Justice Partnership Task Force 1). With a summons, students could either face 15 days in jail or up to \$250 in fines. Most often, summons are handled via a fine, community service, or dismissed. However, should a student fail to appear in court on the date and time listed on his or her summons, a bench warrant is issued for their arrest (New York City School-Justice Partnership Task Force 1). Thus, it is evident that there are a number of avenues by which New York City public school students can be pipelined into the criminal justice system.

School Suspension Findings

In New York City Public Schools, suspension rates have significantly increased over the last 10 or more years. According to *The New York Times* (The Editorial Board, 2013), there were nearly 70,000 suspensions of students during the 2011-2012 academic year, alone. In 2013-2014, there were nearly 53,000 suspensions, according to *The New York Daily News* (Chapman). Such figures do reveal that suspension rates have decreased from one year to the next, however, the racial and gender disparities in suspension rates are still alarming and a major concern for politicians, scholars, and activists regarding the school-to-prison pipeline. This section will focus on race and gender suspension rates later. However, it is important to first get a sense of the various statistics and data related to suspensions in New York City.

When analyzing suspension rates in public schools, scholars note the shift in policies and practices that occurred when control of the Department of Education was placed within the mayoral office's purview. Samantha Pownall, author of "A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline," argues that during Mayor Michael A. Bloomberg's administration, zero tolerance policies increased in harshness, especially towards minor behaviors or violations, which resulted in a "three-strikes-and-you're-out" based policy (11). As a result, students who were repeatedly getting into trouble were eventually expelled or asked to leave their schools (Pownall 11).

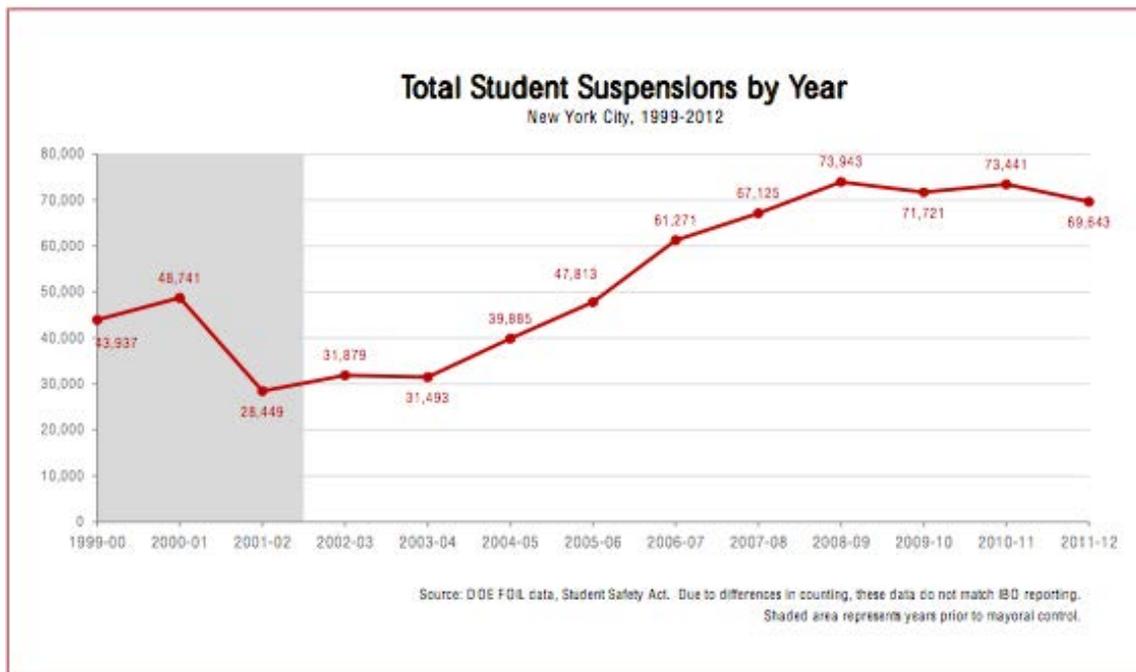


Figure 2 Total Student Suspensions by Year, New York City 1999-2012

Source: Pownall, Samantha. *A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline*. Rep. New York: New York Civil Liberties Union, 2013. Print, 12.

In figure 2, the datum supports the New York Civil Liberties Union's claim regarding the mayoral office's policies having some influence on the increase in suspension rates. During Mayor Bloomberg's administration, suspension rates more than doubled (Pownall 12).

Strikingly, data from the New York City Department of Education on the distribution of principal and superintendent suspensions in public schools reveals that there are actually small percentages of schools that issued an overwhelming number of either type of suspension during the 2012 school year. The below figure was copied from the New York City School-Justice Partnership Task Force Report, “Keeping Kids In School and Out of Court” (5).

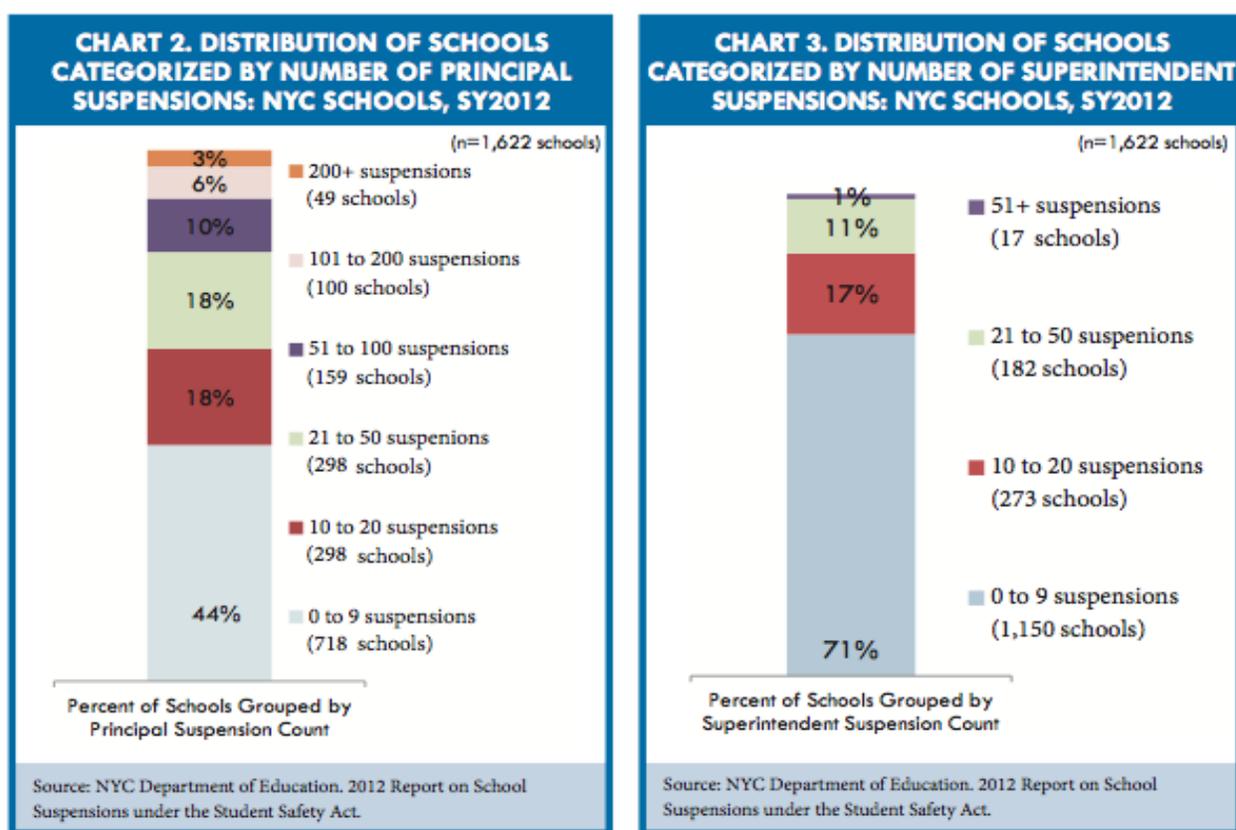


Figure 3 Distribution of Schools Categorized by Number of Principal Suspensions (left) and Distribution of Schools Categorized by Number of Superintendent Suspensions (right).
Source: New York City School-Justice Partnership Task Force. *Keeping Kids In School and Out of Court*. Publication. New York State Permanent Judicial Commission, n.d. Web. 5 Jan. 2015, 5.

These findings are important to reveal because, often times, the literature related to suspension rates in New York City suggest that all public schools in New York City have a problem with suspending an overwhelming number of their students. In reality, this data reveals that the majority of public schools issued less than twenty principal’s suspensions (62%), and

71% of schools issued less than nine superintendent's suspensions. Therefore, with these figures, it becomes clearer that suspension is only an issue at a certain number of schools, and reforms are most important in those schools, not all New York City public schools.

Suspension Rates by Race

While suspension rates in New York City might be decreasing, the disparities between White students and students of color is particularly troubling. Herein lies much of the issue activists and scholars have with the suspension policies in today's schools. While reports acknowledge that suspension, in general, is problematic because of the negative impact suspension has on student's chances of academic success, much of the literature heavily focuses on the apparent racial disparities.

Arguably, the most disturbing element of the suspension of African-American children is that research has found there to be higher percentages of suspensions of Black children than the percentage of children enrolled in New York City Schools. Data from a report by the New York Civil Liberties Union and datum from the New York City Department of Education (by way of the New York City School-Justice Partnership Task Force), reveal figures from the 2010-2011 school year, and the 2012 school year, respectively. Those figures (figures 4 and 5), are provided below.

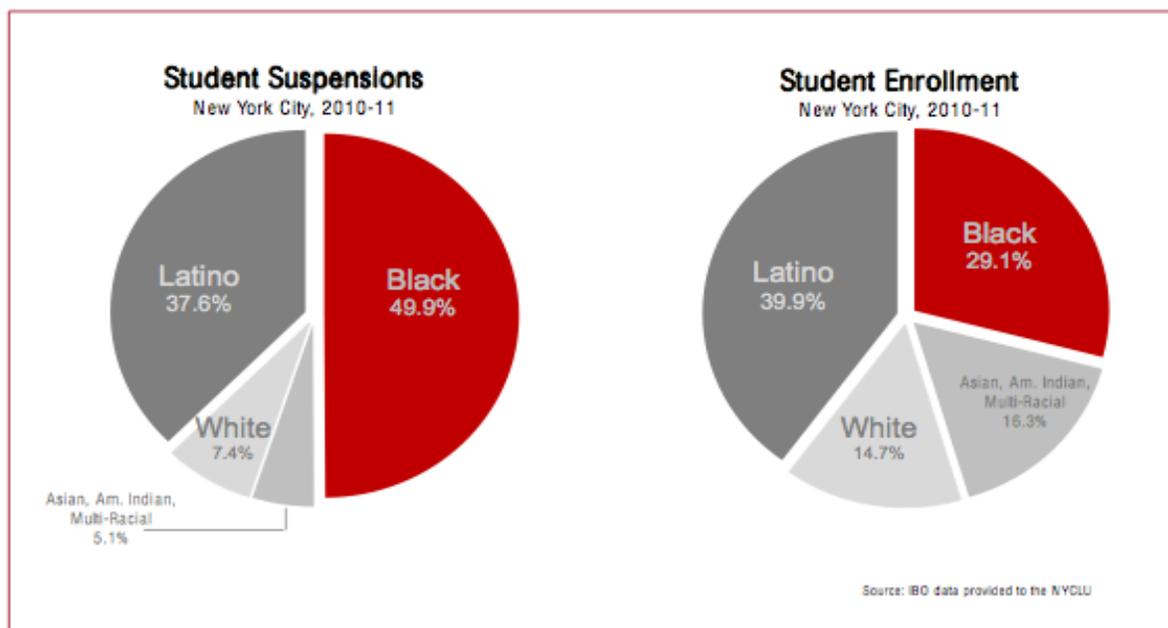


Figure 4 Student Suspensions and Student Enrollment In New York City Public Schools, 2010-2011
 Source: Pownall, Samantha. *A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline*. Rep. New York: New York Civil Liberties Union, 2013. Print, 8.

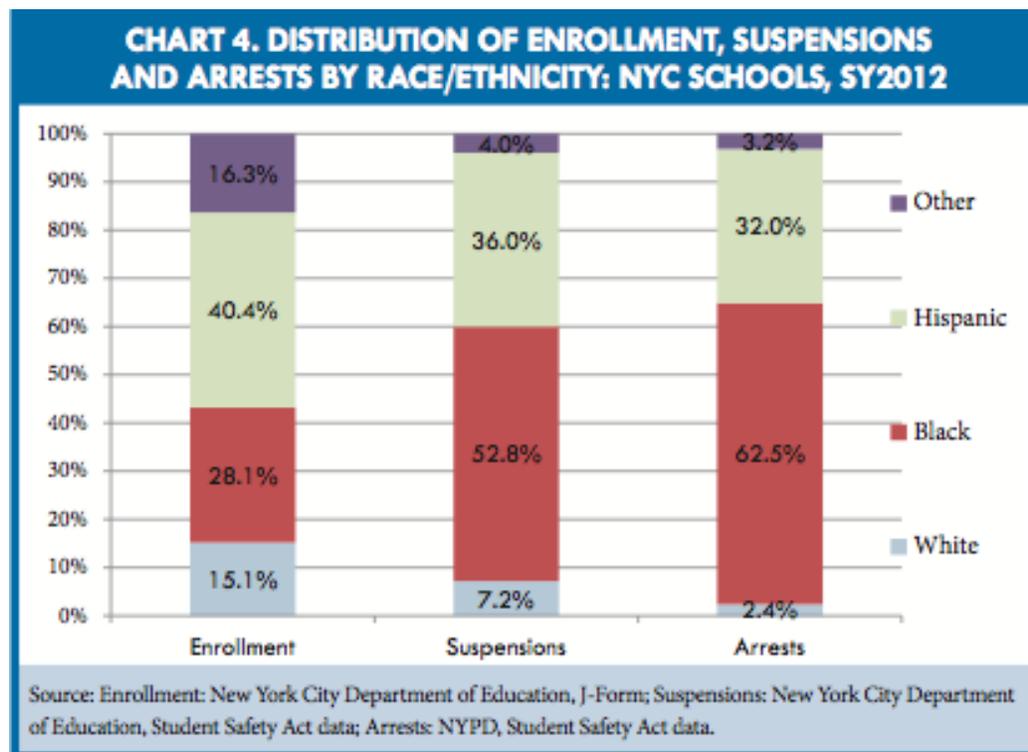


Figure 5 Distribution of Enrollment, Suspension, and Arrests by Race and Ethnicity
 Source: New York City School-Justice Partnership Task Force. *Keeping Kids In School and Out of Court*. Publication. New York State Permanent Judicial Commission, n.d. Web. 5 Jan. 2015, 6.

From these data, it is evident that the percentage of African-American students suspended is nearly double the percentage of African-American students enrolled. As figure 5 also highlights, the percentage of Black students' arrests is more than double the percentage of black students enrolled. According to *The New York Daily News*, during the 2013-2014 school year, 90% of the 53,000 suspensions that year were of Hispanic and African-American students (Chapman). Such figures are troubling, because it begs the question of why students of color are being suspended at much higher rates.

As figure 3 revealed previously, most suspensions in New York City schools are categorized as principal's suspensions. These are suspensions that are given by the principal of the school at their discretion. Research has found that most of these suspensions are for non-violent, minor violations or behaviors, such as talking back. In fact, the New York City School-Justice Partnership Task Force found that the top three infractions, which resulted in suspensions, were: “‘altercation and/or physically aggressive behavior,’ ‘insubordination,’ and ‘horseplay’” (5). These violations are subjective, and leave much discretion up to the principal to decide what is and is not considered a violation. For example, a report, “Education Interrupted: The Growing Use of Suspensions in New York City’s Public Schools,” by the New York Civil Liberties Union and the Student Safety Coalition found that in the 2006-2007 school year, 51% of African-American students were suspended for profanity, and 57% of Black students were suspended for insubordination (Miller 19). By comparison, as shown in figure 6, only 8% of White students were suspended for profanity, and 7% for insubordination, during the same year (Miller 19).



Figure 6 Suspensions for Profanity by Race, 2006-2007 (left) and Suspensions for Insubordination by Race, 2006-2007 (right)

Source: Miller, Johanna. *Education Interrupted: The Growing Use of Suspensions in New York City's Public Schools*. Publication. New York: New York Civil Liberties Union, 2011. Print, 19.

By providing principals with this much authority to determine what is and is not a violation creates an inconsistency in disciplinary practices. Students are never certain of when their behavior might be excused, and when it might result in suspension. More importantly, this data suggests that principals are more inclined to harshly scrutinize the behavior of African-American children than they are students of other races.

It is no surprise that principals in certain school districts are more likely to suspend or criminalize African-American students; such views of Black students as criminal or dangerous merely reflects the societal perception of African-Americans in the surrounding neighborhoods

of these schools. According to the press release by the New York Civil Liberties Union Report, “Black, Low Income, and Special Needs Students Pushed Out through Suspensions and Arrests, NYCLU Analysis Finds,” there is a correlation between high suspension rates, and the rate of stop-and-frisk police procedures in the surrounding neighborhood. Stop-and-frisk is defined as “a brief, non-intrusive, police stop of a suspect... If the police reasonably suspect the person is armed and dangerous, they may conduct a frisk, a quick pat-down of the person’s outer clothing” (“Stop and Frisk”). Students who live in neighborhoods with higher rates of stop-and-frisk, such as East New York, Brooklyn; Harlem, Manhattan; Jamaica, Queens, also face higher rates of suspension in their schools (New York Civil Liberties Union, 2013).

ZIP Codes with the Most Stop-and-Frisks

New York City, 2010-11

ZIP Code	Neighborhood	Stops*	Suspension Rate, %
11207	East NY, New Lots	20,288	6.2
11212	Central Brooklyn	20,149	7.7
10029	East Harlem	17,898	6.8
11206	Bushwick, Williamsburg	16,122	4.7
10456	High Bridge, Morrisania	13,586	5.8
11208	East NY, New Lots	12,045	4.8
11221	Bushwick, Williamsburg	10,977	5.5
11226	Flatbush	10,944	5.4
11368	West Queens	10,331	2.8
11233	Central Brooklyn	10,254	6.1
10459	Hunts Point, Mott Haven	9,796	5.9
10467	Bronx Park, Fordham	9,585	4.9
10027	Central Harlem	9,024	6.5
10468	Bronx Park, Fordham	8,877	4.4
10453	Central Bronx	8,585	5.1
11432	Jamaica	8,063	2.4
11691	Rockaways	8,041	8.3
11433	Jamaica	7,824	6.5
10452	High Bridge, Morrisania	7,565	5.1
10455	Hunts Point, Mott Haven	7,241	5.5
CITYWIDE AVERAGE		3,746	4.2%

Sources: NYPD stop-and-frisk database, IBO data provided to the NYCLU

*Between July 2010 and June 2011

Districts with above average suspension rates in red.

Table 1 Zip Codes with the Most Stop-and-Frisks, New York City 2010-2011

Source: New York Civil Liberties Union. *Black, Low-Income and Special Needs Students Pushed Out through Suspensions and Arrests, NYCLU Analysis Finds*. New York Civil Liberties Union (NYCLU) - American Civil Liberties Union of New York State. New York Civil Liberties Union, 29 Oct. 2013. Web. 18 Feb. 2015.

It is important to note that many of the cities highlighted in red in table 1 are mostly populated by African-American and/or Latino people. Therefore, the correlation between suspension rates and stop-and-frisk rates are striking. This data reveals two important points: first, that the harsh disciplinary practices in schools are influenced by the policing practices that are increasingly common in our society. Second, this data also reveals that the racial disparities in the treatment of Black and White students is not isolated to today's schools, but is a reflection of the mass incarceration movement that also plagues our inner cities. The figures in Table 1 firmly places the school-to-prison pipeline within the context of our mass incarceration movement, and suggests that the pipeline is merely another way that African-American children are being funneled into the criminal justice system at disproportionate rates. This datum also hints at suggestions of stereotyping, and cultural bias towards African-Americans that is prevalent in our society. Although few studies are able to uncover the exact reason for such rates of suspension, one cannot help but believe that stereotyping, and cultural bias is a factor. Another reason students of color might be treated differently than their peers is the common misconception that African-American children are older than they actually are. A 2014 study by Phillip A. Goff, Matthew Christian Jackson, from the University of California, Los Angeles, and other partnering researchers found data to support this notion. Goff, Jackson, et. al found that Black children ages 0-9 are viewed as equally innocent as children of other races, but those ages 10-17 are viewed as less innocent, often being mistaken as four years older than their actual ages (Goff, Jackson, et. al 531). When research participants, mostly white, college-aged females, were asked to rate children's innocence according to criminal behaviors, Black children were found to be more culpable of their crimes than children of other races, and perceived as older by 4.53 years (Goff, Jackson, et. al 532). These findings are profound, considering most New York City

public school teachers are white (58.6%) and female (76.0%) (Roy 4). Moreover, the researchers note that such an overestimation of age can result in some children being perceived, and treated, as an adult in the criminal justice system. Lastly, the researchers limited participants to police officers. They tested whether police overestimated the ages of children, and found that officers overestimated the ages of Black and Latino children, usually by 4.59 years, while White children's ages were not overestimated (Goff, Jackson, et. al 535). These particular findings are especially important, considering the number of police officers patrolling New York City schools, and the number of arrests that occur on school grounds. If police officers are overestimating the ages of children, and treating them like adults, this greatly changes their criminal justice outcomes, as children are then treated like adults because of a misconception of age.

Suspension Rates by Race and Gender

Much of the literature on New York City suspension rates either focuses on African-American students in general, or will specifically comment on African-American males, thus begging the question: what about the suspension rates of Black girls? A report by Kimberle Williams Crenshaw et. al, "Black Girls Matter: Pushed Out, Overpoliced and Underprotected," focuses specifically on findings related to African-American girls in Boston and New York City. Ultimately, their report finds that Black girls are also suspended at higher rates than white students. Specifically, Crenshaw, et. al found that in New York, Black girls are 10 times as likely to be suspended compared to White girls (Crenshaw 22). By comparison, Black boys were 5 times as likely to be suspended when compared with White boys. Thus, this data reveals the

severity of the suspension of Black girls in New York City schools- this is clearly a problem that has seldom been addressed. When analyzing why Black females are being suspended, the report states,

The available evidence, however, suggests that implicit biases, stereotyping, and other cultural factors may play a role. These dynamics may contribute to perceptions by decision makers that a Black girl has run afoul of institutional norms, and that punishment, rather than restorative or therapeutic responses, is warranted (Crenshaw 24).

Such an explanation is similar to the reasons scholars suspect that African-American males are also suspended at disproportionate rates. Thus, this report makes evident that Black males and females are treated rather similarly, in regards to suspension in New York City schools. Future sections will analyze graduation/drop out rates, which are deeply correlated with suspension rates, and it is then that this chapter will analyze whether or not these suspension rates impact Black males and females differently.

Arrest Rates Findings

The rate of arrest in New York City public schools is especially troubling. The New York City School-Justice Partnership Task Force Report found that from July 2011 to June 2012, there were 882 arrests in schools reported by the New York Police Department (NYPD), as required by the School Safety Act (New York City School-Justice Partnership Task Force 7). The New York Civil Liberties Union found, after analyzing data from the NYPD school safety, that during the 2011-2012 academic year, more than 11 students were either arrested or ticketed per day (New York Civil Liberties Union 2012). The figures reported for the School Safety Act only include the arrests made by either police officers or school safety agents, thus suggesting that

these numbers are not a complete estimate of the number of arrests actually occurring in New York City schools (New York City School-Justice Partnership Task Force 7). Reports by the NYC School-Justice Partnership Task Force and the New York Civil Liberties Union both note that these figures does not include the number of arrests made by precinct officers, who are sometimes involved with in-school arrests (New York Civil Liberties Union 2012).

Similar to instances of suspension, research has found that most often, students are being arrested for minor misbehaviors, such as fighting. The New York City School-Justice Partnership Task Force found that a number of arrests tend to result from interactions between students and school safety agents or police officers that grow out of control (7). However, since such interactions are not criminal charges, the report noted that many students who were arrested were either charged with “obstructing governmental administration” or “resisting arrest” (New York City School-Justice Partnership Task Force 7). The report states that “one out of every six arrests featured as the top charge a conflict between a school safety agent or police officer and a student charged as obstructing governmental administration or resisting arrest” (New York City School-Justice Partnership Task Force 7). Specifically, they found that 147 arrests made in 2012 fell within such a category (New York City School-Justice Partnership Task Force 7).

While the New York Civil Liberties Union and other activist organizations suggest that arrest rates in New York City are particularly high for minor misbehaviors, the New York City Police Department’s chief spokesman, Paul J. Browne, claimed that those incidents in school that involved the police were more serious, with instances involving “serious assaults, with weapons, and including sexual assaults and including serious crimes” (Baker). Yet, research by the New York City School-Justice Partnership Task Force found that a majority of arrests were for misdemeanors (70%) during the 2011-2012 year, while only 26% of the arrests were for felonies

(7). Therefore, it is hard to accept Browne's claim that the police were only involved when it was absolutely necessary; police or school safety agents have arrested students for acts as minor as doodling on a desk (New York City School-Justice Partnership Task Force10).

Arrest Rates by Race

The datum for arrest rates, according to race, or race and gender, are even more striking. The New York Civil Liberties Union reported that of the information reported by the NYPD for only 55 school days between the months of April through June, there were a total of 213 arrests made, with more than 96% of those arrests being of Black or Latino students (New York Civil Liberties Union 2012). As figure 5 showed, the percentage of African-American students arrested in 2012 was more than double the percentage of Black students enrolled in New York City schools that year. It is evident, from this datum, that racial disparities persist in terms of in-school arrests.

Graduation and Drop Out Rates Findings

Generally, studies have found that graduation rates in New York City have slightly increased. *The Wall Street Journal* reported in a 2014 article that from 2008 to 2009, the high school graduation rate increased by 0.9%, from 60.4% to 61.3% (Brody). Most recently, the *New York Post* reported that for the 2013-2014 academic year, the high school graduation rate increased to 64.2% (Campanile). Such figures are promising, considering there seems to be an overall increase in graduation rates over the years. However, when analyzing graduation rates by race, the figures are not as promising.

Figure 8a: High School Graduation with a Regents Diploma by Gender and Race for First-Time 9th Graders (2001 and 2007 Cohorts)



Figure 7 High School Graduation with a Regents Diploma by Gender and Race for First-Time 9th Graders, 2001 and 2007

Source: Kemple, James J. *The Condition of New York City High Schools: Examining Trends and Looking Toward the Future*. Issue brief. New York: Research Alliance for New York City Schools, 2013. Print, 18.

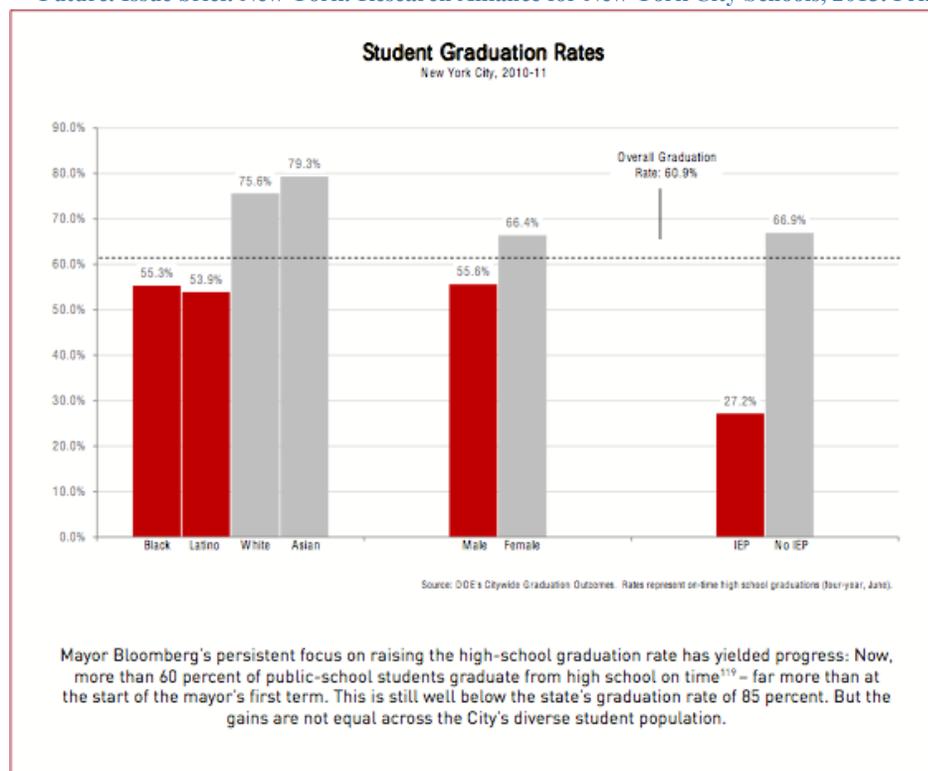


Figure 8 Student Graduation Rates, New York City 2010-2011

Source: Pownall, Samantha. *A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline*. Rep. New York: New York Civil Liberties Union, 2013. Print, 14.

Figures 7 and 8 each reveal that African-American students are graduating at significantly lower rates than their White counterparts. It is important to note that Figure 7 shows data comparing 2001 and 2007 graduation rates. For African-American boys and girls, while their 2007 rates have increased since 2001, their rates of graduation in 2007 are, in some instances, still lower than the graduation rates of students of other races in 2001. These data also reveal that African-American students are not only far behind in terms of graduation rates, but also below the average (figure 8), and have shown only a slight improvement, percentage wise, from 2007 to 2010-2011.

In terms of research on dropout rates, there are few studies that show data for New York City dropout rates. However, a report, “The Condition of New York City High Schools: Examining Trends and Looking Toward the Future,” by James J. Kemple of The Research Alliance for New York City Schools, found that from 1999 to 2007, dropout rates have, generally, decreased from 20% to 10% (11). When factoring in race, there is little research with data on the specific dropout rates of African-American students in New York City public schools. What is known, however, is that only 37% of Black and Hispanic males were reported graduating high school in four years in 2012, which is considered the lowest graduation rate in the nation (Russo and Burke). Thus, by contrast, one can assume that a large percentage of African-American males students are dropping out of school, or taking longer than four years to obtain their high school diplomas. Moreover, it is widely known that suspensions and arrests have a strong correlation to increasing dropout rates. The New York Civil Liberties Union states that studies have found that “students who are arrested for the first time are twice as likely to drop out of high school; and a first-time court appearance quadruples those odds” (Pownall 8). Therefore, considering the suspension and arrest rates previously reported for African-American

students, coupled with this piece of information, it can be inferred that a disproportionate number of African-American students are likely dropping out of high school.

Although the report, “Black Girls Matter: Punished, Overpoliced and Underprotected,” also does not provide specific figures on dropout rates of African-American girls in New York City schools, the report does suggest that dropping out has a slightly greater impact on girls’ future outcomes, especially financially. The report states, “... the National Women’s Law Center reported that the income gap between dropouts and high school graduates is greater for women than it is for men” (Crenshaw 25). Thus, women who drop out of school will be at an even greater disadvantage than women who graduate high school, in terms of wage-earnings. The wage-gap in America already places women below men, but such outcomes would only place this population of women even lower.

Conclusion

Overall, the findings for Black and White students in New York City public schools are far from surprising. It is evident that the data for New York City schools mirrors much of the trends from schools across the country, especially in regards to the disparities between African-American and White students. While the data has revealed that the elements of the school-to-prison pipeline, such as high suspension and arrest rates, are not an issue at all schools, it is overwhelmingly troubling at the few schools where these do exist. Moreover, considering the evident disparity between races, this issue becomes more focused on issues of civil rights, discrimination, and stereotyping towards a particular group of students. While the school-to-

prison pipeline might impact, in some way, students of all races, it evidently impacts African-American students the most, and that should be the point of focus, in regards to reform.

Chapter 4

Conclusions: Where Should New York City Public Schools Go From Here?

Summary

The purpose of this thesis has been to analyze how the school-to-prison pipeline functions, specifically within New York City public schools. The goal was to reveal that there are stark racial disparities in the treatment and outcomes of African-American students, when compared with White students. This thesis focused on New York City due to the size of overwhelmingly large size of its school district, and the plethora of data available from the city, as required by their School Safety Act. This thesis has concluded that African-American students in New York City are negatively impacted by the school-to-prison pipeline when compared with White students. Such findings mirror trends that are evident across the country and targets one of the many problems with the school-to-prison pipeline. The racial disparities found in the implementation of discipline towards African-American students is troubling because this system discriminates against and stereotypes children. In turn, students are led to believe they are trouble makers when they are suspended, expelled, or arrested on school grounds. The long-term implications of such treatment are detrimental to a student's future opportunities and their mental health and self-image. In turn, reformations must be made so that the American education system is less reliant upon discipline and incarceration, and more focused on truly educating students. The data reported in this thesis has been entirely from previously conducted studies and research by civil rights organizations, and scholars, as well as newspaper articles, Internet sources, and online journals.

Conclusions

Considering the research questions posed in the first chapter, this thesis has concluded that:

1. The school-to-prison pipeline is a complex system of policies and procedures, such as suspensions, expulsions, and in-school arrests that force students out of the school system and into the criminal justice system. The school-to-prison pipeline is closely connected to the mass incarceration movement, as it presents another way by which mass numbers of people, namely African-American youths, are forced into the criminal justice system for minor, non-violent offenses. Moreover, the disciplinary policies that make up school-to-prison pipeline are heavily influenced by the “tough on crime” and War on Drugs sentiments of the 1970’s, which explains why most disciplinary policies in today’s schools are zero tolerance and excessively harsh.
2. There are significant racial disparities in New York City schools, as a result of the school-to-prison pipeline. From rates of suspension to rates of graduation, African-American students are found to be the most victimized in this pipeline. They are the least likely to graduate and the most likely to be suspended for subjective, minor, non-violent behaviors.
3. Although studies cannot conclusively find a reason why African-American students are treated more harshly, in terms of discipline and punishment in New York City schools, many scholars suggest that racial biases and stereotyping might be a major contributor. Considering the correlation between high suspension rates and high rates of stop-and-frisk in particular neighborhoods (New York Civil Liberties Union 2013), it can be concluded that perceptions of African-American students as more dangerous or criminal might influence why they are suspended at higher rates. Additionally, considering some

cultural barriers between schools administrators and students, it is likely that the behaviors of African-American students are misinterpreted by school administrators, which results in more severe punishment.

4. The school-to-prison pipeline issue in New York City can be resolved in a number of ways, which will be explored further in the subsequent subsection.

Recommendations

Based on this body of research, the New York City public school system can improve in the following ways:

1. Minimize the discretion principals and police officers have to suspend or arrest students. Since research has found that often times, students are disciplined for subjective behaviors, principals and police officers should not have as much authority to discipline students as freely as they currently do. Instead, there should be a detailed list of misbehaviors that principals can suspend for, or police officers can arrest for. Minor violations, such as having a cell phone, talking back, or even cursing should not result in a student missing days of school or being arrested.
2. Schools in New York City should hire fewer police officers or school safety agents, and more counselors and social workers. Instead of the New York City mayor's office providing additional funds towards "securing" schools with officers, they should redirect those funds towards hiring counselors. Thus, New York City schools can adopt a similar model to Garfield High School in Los Angeles, California. Instead of suspending students when they misbehave, teachers can work with the students and counselors to understand

why the student is misbehaving and rectify the situation. As research has shown, the police presence in schools only results in more summonses and arrests, as police overly criminalize students' behaviors. With this recommendation, counselors and social workers will be held responsible for "disciplining" students in a positive and encouraging manner.

Implications for Future Studies

1. Greater focus on how the school-to-prison pipeline impacts African-American girls, or girls in general
2. Research on dropout rates, by race/ethnicity in New York City public schools

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Education

The Pennsylvania State University University Park, PA
Schreyer Honors College, Paterno Fellows Program Degrees anticipated May 2015
Bachelor of Arts, African-American Studies
Bachelor of Arts, Criminology
Minor, Philosophy

Experience

New York City Housing Authority Summer Camp, Lehman Village New York, NY
Counselor, July-August, 2014

- Ensured a small group of 6-7 year old girls were safe and entertained throughout the summer

Oasis Summer Camp New York, NY
Group Leader, July, 2013-August, 2013

- Enhanced team working abilities as I worked with a co-leader to ensure our group of children remained entertained and safe
- Creatively found ways to teach children lessons while also having fun

Paul Robeson Cultural Center University Park, PA
Receptionist, September, 2012-May, 2013

- Assisted with the planning and facilitating of programs hosted by the Paul Robeson Cultural Center, which were focused on exposing attendees to the diverse perspectives and cultures of underrepresented communities

Volunteer Experience

Martin Luther King, Jr. Day of Service University Park, PA
Committee Captain, January 2015

- Led a team of team leaders in preparing ice breaker activities and understanding what it means to be a leader of a group of student volunteers

Meals on Wheels State College, PA
August, 2012-May, 2013

- Assisted other volunteers in preparing and packaging the meals of Meals on Wheels clients

Involvement

Presidential Leadership Academy

University Park, PA

Student, 2012-2015

- Learning to analyze and think more critically about worldly issues and how to apply said skills to my leadership skills

Student Minority Advisory and Recruitment Team

University Park, PA

President, 2014-2015

- Aiding the Office of Undergraduate Admissions to recruit and retain minority students to The Pennsylvania State University in unique and creative ways

American Association of University Women

Washington, D.C.

National Student Advisory Council, 2013-2014

- Acting as an ambassador for the American Association of University Women on the campus of The Pennsylvania State University to raise awareness amongst students about pressing women's rights issues both nationally and on our campus

Be Engaged House, Special Living Option

University Park, PA

Program Coordinator, 2013-2015

- Planning programs and building a community within the residence hall for first-year students with an interest in community service, leadership, and social justice

FastStart Mentoring Program

University Park, PA

Student Leadership Board, 2012-2015

- Pairing first-year minority students with a faculty or staff mentor on the campus of The Pennsylvania State University, as well as an alumni mentor working in their chosen field of study
- Writing articles for the monthly newsletter that is distributed to mentors and students in the FastStart program

LeaderShape Institute

Milroy, PA

Participant, May, 2013

- An opportunity to enhance leadership skills that expands beyond one's specific organization or involvement at The Pennsylvania State University, but will make an impact on the world at large

Achievements

The Honor Society of Phi Kappa Phi

Inducted March, 2014

- An honor society to recognize those students who are amongst Penn State's top 7.5 percent of second term juniors and the top 10 percent of seniors and graduate students

The Jackson Lethbridge Tolerance Award

Received March, 2014

- An award recognizing an undergraduate or graduate student at Penn State who is broad-minded and openly promotes responsible citizenship and civil respect for diversity within the Penn State community, while emphasizing a nature of respectful tolerance for the differences