



## Personalized Learning, Not a School to Prison Pipeline

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“Stolen Trust” focuses on a teacher who must decide between following her school’s zero tolerance policy or breaking school rules to save a student from incarceration, potentially losing her job in the process. The student, Wesley, has a history of disobedience, low grades and prior brushes with the criminal justice system. However, with the help of his teacher Ms. Smith, he showed drastic improvement in both behavior and grades. Despite his progress, Wesley stole Ms. Smith’s phone at the end of a tutoring session. Ms. Smith is obligated to report him due to the school’s zero tolerance policy, which will most likely get him expelled and possibly even land him in jail. The dilemma leaves us to decide whether Ms. Smith should obey the school’s rules or take her own approach.

Before looking at Ms. Smith’s dilemma, we should zoom out to the wider context. In a country where mass incarceration persists, prison seems to be an accepted, effective and worthy punishment for minor crimes. Strict school policies are often responsible for pushing kids out of classrooms and into jail cells. However, this approach is wrong. Far more progress can happen for individuals and society when we do not remove people, especially young people, from real opportunities to learn and grow.

The story of Wesley is only one example of the many youth caught in the “school to prison pipeline.” It is clear that the zero tolerance policy criminalizes youth, usually in very discriminatory ways. Students with special needs are often labeled as troublemakers and then punished rather than given access to additional help. According to *The Hechinger Report* put out by Columbia University, an estimated 73% of students with emotional disabilities who drop out are arrested within five years.<sup>i</sup> And according to an article published by the American Psychological Association Zero Tolerance Task Force, young brains are engineered to take risks and learn from them.<sup>ii</sup> These biological instincts should not be the cause of imprisonment. Zero tolerance also tends to perpetuate institutionalized racism by punishing students of color disproportionately. According to the Office for Civil Rights, in 2012, black students accounted for 35% of those suspended, 46% of those suspended more than once and 39% of those expelled, even though only 18% of students were black.<sup>iii</sup>

Often the outcomes of incarceration are more negative than they are positive for individuals, their communities, and society. Incarceration does not allow students to pursue success in and out of school. According to *The Hechinger Report*, arrests double a student’s likelihood of dropping out while a juvenile court appearance quadruples it.<sup>iv</sup> Moreover, once a person has a criminal record, they can have lots of difficulty when looking for a job. According to a study by the Urban Institute, 71% of people released from jail struggled to find a job because of their criminal record even eight months after being released.<sup>v</sup> And jails are already overflowing with people who commit minor crimes, a disproportionate number of whom are people of color. According to the NAACP, while African Americans and Hispanics made up approximately 32% of the US Population, they comprised 56% of all incarcerated people in 2015.<sup>vi</sup> The system is racist and leaves people with a lack of options.

From personal experience, I believe the dehumanization of students through unjust disciplinary practices leads to a bad dynamic between staff and students. At my school, I’ve seen students who are not treated as individuals deserving of respect develop a negative self-image and receive an overall flawed education. In a survey a classmate and I conducted regarding discipline in school, many students at my high school said traditional forms of punishment were “just annoying and completely ineffective.” Other students attributed their label as “a bad kid” to getting punished often (similar to the way stigmas affect people after being released from jail). These disciplinary policies have deeply unjust and sometimes severe consequences. This matches findings by organizations like the National Social Workers Association who have stated that suspensions and expulsions can often be ineffective for many students.<sup>vii</sup>

Both Ms. Smith and Wesley face difficult circumstances. Ms. Smith runs the risk of losing her job if she doesn't follow school policy. If she does, Wesley runs the risk of getting put in jail. I believe Ms. Smith should not report Wesley because the consequences she may face are far less significant compared to what prison would mean for Wesley. It should be Ms. Smith's responsibility, as both a teacher and a white woman, to protect her students and promote equity for people of color. In a more just society, however, Ms. Smith would not have to compromise anything in order to keep students out of jail. Instead, the school would work to improve the way they discipline students, and legislatures would transform systems of punishment into systems of rehabilitation and care.

Instead of zero tolerance, suspensions, expulsions and stigmatization, Wesley should receive a consequence equivalent to the inconvenience caused by his action. This is related to the concept of "restorative justice." Assuming Wesley still has the phone, he should be forced to give it back, and his own phone privileges should be revoked. If Wesley were to lose the phone or give it to someone else, he should be forced to repay Ms. Smith however much money the phone cost using in-school work such as cleaning or organizing papers. This form of discipline can actually teach a lesson by forcing students to do something productive to counteract any inconvenience they caused. This form of justice also allows the student to feel the consequence of their own actions because they have to make amends with the person they harmed.

People may argue that the zero-tolerance policy would be more effective, reducing the amount of disciplinary issues in school. However, this is not the case. The American Psychological Association states that zero-tolerance policies fail to make schools a safer place to learn.<sup>viii</sup> Even if it were the case that zero-tolerance policies result in fewer rule violations within a school, that does not inherently justify these methods or indicate their success in preparing students for life outside of school. Students must learn from their actions, developing their morals. Much of the time obedience in schools teaches students how to avoid pesky detentions or suspensions—not to question their behavior. From these practices, students do not retain valuable and lasting skills or lessons. Instead, students are taught to replicate a negative and sometimes even abusive sense of authority in their own relationships, families, and work environments.<sup>ix</sup> Others may argue that the zero-tolerance policy helps to protect youth of color from a racist justice system by preparing youth for the realities of police relations. But how can a school claim to protect its students from a system it perpetuates? All institutions have the opportunity to model the change they want to see in the world. If North High School wants to protect their students of color, they should take this opportunity.

The school system and the justice system should be working together to ensure maximum education and future success to ALL students regardless of behavior or racial identity. It is very clear jail is no place for progress. Rather, we should allow students to learn from their actions in ways that suit them.

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<sup>i</sup> Jackie Mader and Sarah Butrymowicz, "Pipeline to Prison: Special Education Too Often Leads to Jail for Thousands of American Children," *The Hechinger Report* (blog), October 26, 2014, <https://hechingerreport.org/pipeline-prison-special-education-often-leads-jail-thousands-american-children/>.

<sup>ii</sup> American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective in the Schools?: An Evidentiary Review and Recommendations.," *American Psychologist* 63, no. 9 (December 2008): 852–62, <https://doi.org/10.1037/0003-066X.63.9.852>.

<sup>iii</sup> "The Transformed Civil Rights Data Collection (CRDC)" (Office for Civil Rights, March 20112), <https://ocrdata.ed.gov/Downloads/CMOCRTheTransformedCRDCFIL3-15-12Accessible-1.pdf>.

<sup>iv</sup> Mader and Butrymowicz, "Pipeline to Prison."

<sup>v</sup> Christy Visher, Sara Debus, and Jennifer Yahner, "Employment after Prison: A Longitudinal Study of Releasees in Three States" (Urban Institute: Justice Policy Center, October 2008), <https://www.urban.org/sites/default/files/publication/32106/411778-Employment-after-Prison-A-Longitudinal-Study-of-Releasees-in-Three-States.PDF>.

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<sup>vi</sup> “Criminal Justice Fact Sheet,” NAACP, accessed April 4, 2019, <https://www.naACP.org/criminal-justice-fact-sheet/>.

<sup>vii</sup> M. Cameron, “Managing School Discipline and Implications for School Social Workers: A Review of the Literature,” *Children & Schools* 28, no. 4 (October 1, 2006): 219–27, <https://doi.org/10.1093/cs/28.4.219>.

<sup>viii</sup> American Psychological Association Zero Tolerance Task Force, “Are Zero Tolerance Policies Effective in the Schools?”

<sup>ix</sup> Cameron, “Managing School Discipline and Implications for School Social Workers.”