

# **Community Legal Aid**

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio



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## **Detention now means prison later**

By Ayesha Cotton, managing attorney

School sets children on a pathway for the rest of their lives. That pathway is dictated by adults -- parents, teachers and other school personnel -- and systems that guide and shape their experiences.

But what happens when that pathway is paved with disciplinary actions?

Students who are suspended or expelled from school are nearly three times more likely to be in contact with the juvenile justice system in the following year. And Black students are three to four times more likely to be referred for disciplinary action at school than their white peers.

It doesn't take a giant leap, then, to understand how youth of color make up two-thirds of the juvenile justice population, or why 1 in every 10 Black men in his thirties is incarcerated on any given day.

Research suggests there are three key factors that contribute to the school-to-prison pipeline: zero tolerance policies, such as clothing or appearance; exclusionary disciplinary actions; and the presence of school resource officers. In addition, the COVID-19 pandemic added concerns such as exacerbation from heightened truancy rates.

In order to break the cycle of the school-to-prison pipeline, it's critical that we understand how the

justice system can interplay with and impact the education system.

Let's consider the student whose family was recently evicted. Their family has split up to find shelter with different family and friends, and he's unsure about what's going to happen next.

Their grades may start slipping.

Or the family who lost work because of COVID and has been struggling to make ends meet. The children are dealing with the toxic levels of stress at home, not to mention grappling with hunger, as their parents try to stretch every dollar.

No wonder they're falling asleep in class.

Or the student whose parent is in an abusive relationship, who lives in very real fear for their family members' (and their own) physical safety.

But they're expected to pay attention to today's lesson on fractions.

Much of the racial disparity in school discipline can be tied directly to a school's level of cultural competence and whether it deploys trauma-informed teaching methods. Research has found that Black middle- and high-school boys are more likely to be seen as "troublemakers," and their misbehavior is more likely to be seen as more severe, than their white counterparts -- for the exact same behavior.

By ensuring school personnel have the knowledge and skills they need to seek out and address root causes of student's academic and behavioral issues in a culturally appropriate way, schools can divert students away from the school-to-prison pipeline.

Students can only learn when their brains and bodies are healthy and supported. And when they aren't, we need to treat the root cause of those problems, instead of disciplining the symptoms.

So, how do we disrupt the pattern?

There are a host of possible and plausible solutions to combating the system and breaking down the barriers that funnel kids through the pipeline, such as:

- Requiring ongoing training for all school personnel (not just teachers) on cultural competency topics, racial and ethnic inclusion, and trauma-informed learning
- Offering alternative learning platforms, like virtual learning, to accommodate learning styles and meet kids where they are
- Providing inclusive services for students with special needs, based on proper identification, assessment, and fully resourced supportive services
- Exploring alternative pathways for addressing problems, rather than relying solely on school resource officers
- Incorporating mental health into the day-to-day activities of meeting the needs of our students and supporting their development holistically
- Embedding social supports (like Legal Aid) in the school building, like we do at the I Promise School

The more intentional we can be about meeting kids where they are, the better positioned we'll be to give them support and empower them to achieve their dreams.

*This article is part of Legal Aid's "Big Ideas" series.*

