

APPLESEED NETWORK: PROTECTING GIRLS OF COLOR FROM THE SCHOOL-TO-PRISON PIPELINE

INTRODUCTION

Black female students, and female minority students in general, face significant disparities in disciplinary treatment in schools. The school-to-prison pipeline is a continuum encompassing the steps that drive children out of school and into the juvenile and adult criminal justice systems. Understanding how states approach school discipline is key, as students who experience discipline including suspensions, expulsions, and school-based arrests are more likely to continue to come into contact with the criminal justice system throughout their lives.

Research has shown that girls of color are disproportionately implicated in the school-to-prison-pipeline. Girls of color receive harsher punishments than their white counterparts for the same behavior, and are often reprimanded and referred out to the juvenile and adult justice systems at higher rates. The data presented in this report examines these disparities through case studies of three states: Alabama, Kansas, and Massachusetts.

The data discussed in this report was collected by the U.S. Department of Education's Civil Rights Data Collection (the "CRDC") in 2015. Due to the lack of consistent state-level data, the federal data currently provides the clearest and most reliable information to compare school discipline rates across jurisdictions.

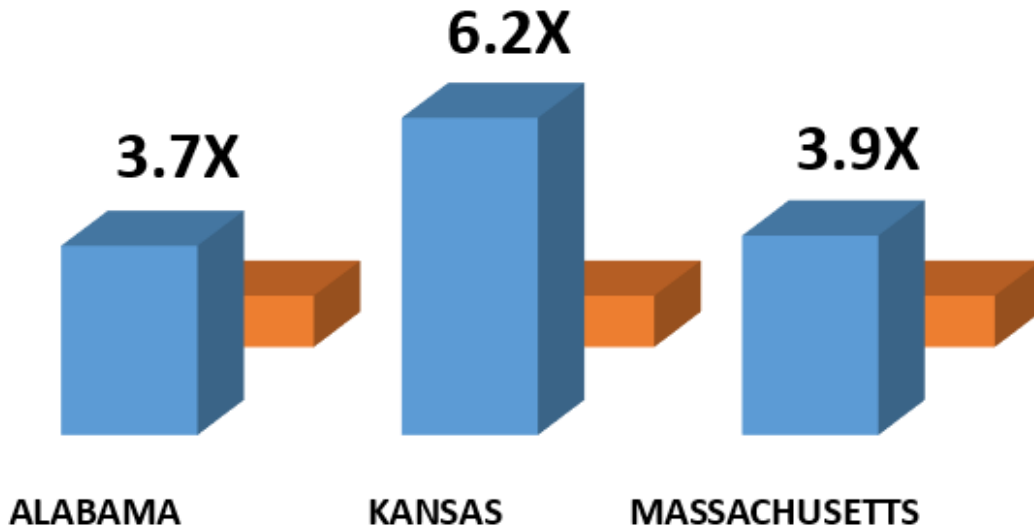
DATA SNAPSHOT

This report analyzes the CRDC data available for five discipline categories: in-school suspensions, out-of-school suspensions, expulsions, referrals to law enforcement, and school-related arrests.

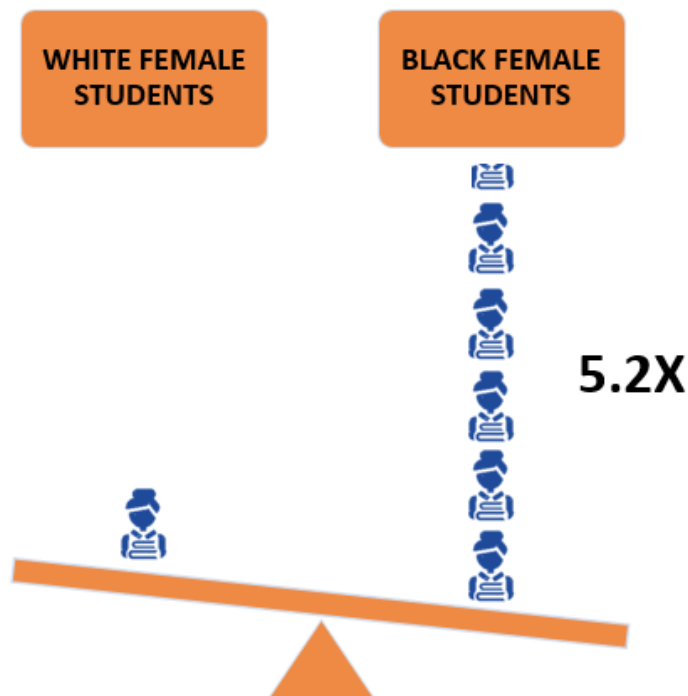
When all five discipline incident groups are taken into account, black female students in Alabama are roughly 3.7 times more likely to be disciplined than their white female classmates. This likelihood is even higher in Kansas, where black female students are roughly 6.2 times more likely

to be disciplined than white female students. In Massachusetts, black female students are roughly 3.9 times more likely to be disciplined than their white counterparts.

The following bar graph compares the ratio of discipline incidents involving black female students to discipline incidents involving white female students in all three states.



Across Alabama, Kansas, and Massachusetts, black female students are roughly 5.2 times more likely to be disciplined than white female students. Although these findings are helpful, the available data does not account for students who receive multiple forms of discipline.



The following visuals illustrate the gap between discipline of black female students and discipline of white female students for each of the five incident types based on the federal data for each state. The percentages described below capture the number of students disciplined per group over the total number of enrolled students per group.

IN ALABAMA...

BLACK FEMALE STUDENTS ENROLLED IN THE 2015-2016 SCHOOL YEAR: **121,289**

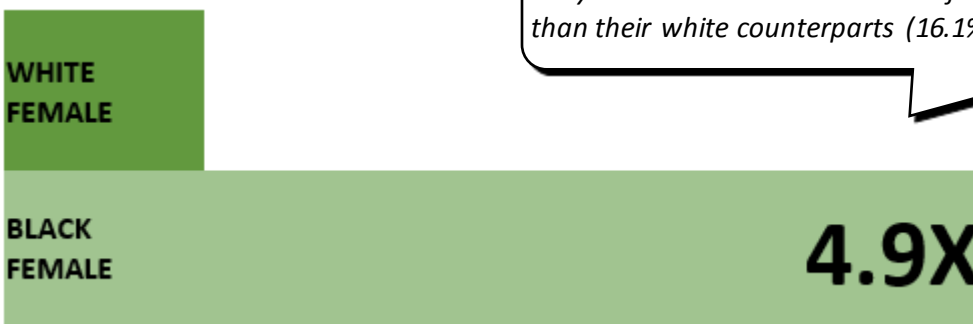
WHITE FEMALE STUDENTS ENROLLED IN THE 2015-2016 SCHOOL YEAR: **197,398**

IN-SCHOOL SUSPENSION



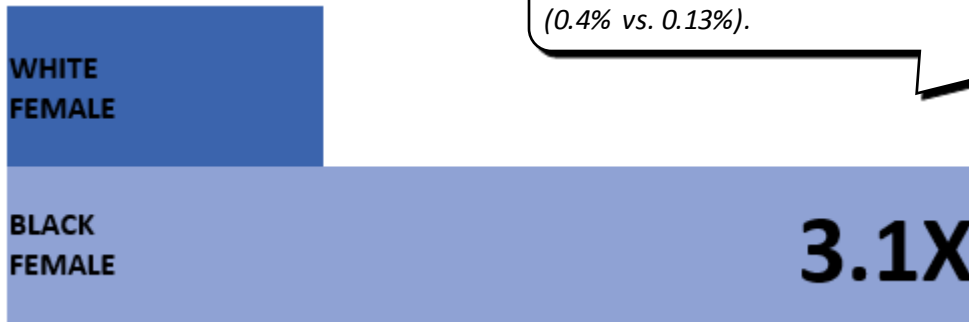
Black female students are roughly 2.5 times more likely to receive at least one in-school suspension than their white counterparts (9.1% vs. 3.6%).

OUT-OF-SCHOOL SUSPENSION



Black female students are roughly 4.9 times more likely to receive at least one out-of-school suspension than their white counterparts (16.1% vs. 3.3%).

EXPULSIONS



Black female students are roughly 3.1 times more likely to be expelled than their white counterparts (0.4% vs. 0.13%).

REFERRALS TO LAW ENFORCEMENT



Black female students are roughly 3.3 times more likely to be referred to law enforcement than their white counterparts (0.3% vs. 0.09%).

SCHOOL-RELATED ARRESTS



Black female students are roughly 5 times more likely to receive school-related arrests than their white counterparts (0.2% vs. 0.04%).

IN KANSAS...

BLACK FEMALE STUDENTS ENROLLED IN THE 2015-2016 SCHOOL YEAR: **17,030**

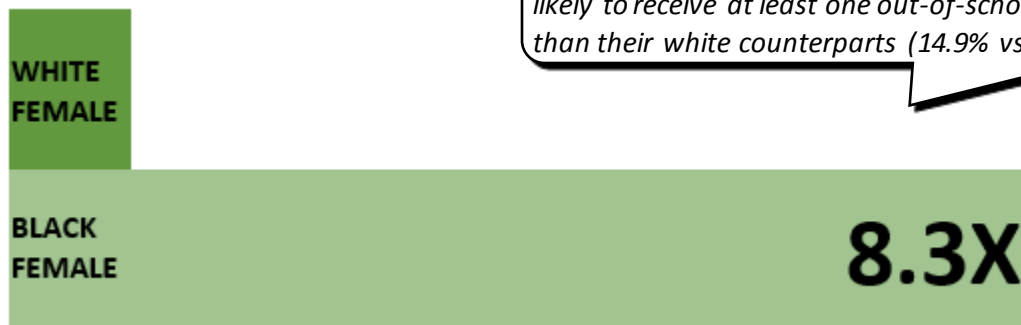
WHITE FEMALE STUDENTS ENROLLED IN THE 2015-2016 SCHOOL YEAR: **153,025**

IN-SCHOOL SUSPENSION



Black female students are roughly 4.3 times more likely to receive at least one in-school suspension than their white counterparts (9.0% vs. 2.1%).

OUT-OF-SCHOOL SUSPENSION



Black female students are roughly 8.3 times more likely to receive at least one out-of-school suspension than their white counterparts (14.9% vs. 1.8%).

EXPULSIONS



Black female students are roughly 13.8 times more likely to be expelled than their white counterparts (1.1% vs. 0.08%).

REFERRALS TO LAW ENFORCEMENT



Black female students are roughly 4.4 times more likely to be referred to law enforcement than their white counterparts (0.7% vs. 0.16%).

SCHOOL-RELATED ARRESTS



Black female students are roughly 4 times more likely to receive school-related arrests than their white counterparts (0.12% vs. 0.03%).

IN MASSACHUSETTS...

BLACK FEMALE STUDENTS ENROLLED IN THE 2015-2016 SCHOOL YEAR: **40,132**

WHITE FEMALE STUDENTS ENROLLED IN THE 2015-2016 SCHOOL YEAR: **278,310**

IN-SCHOOL SUSPENSION



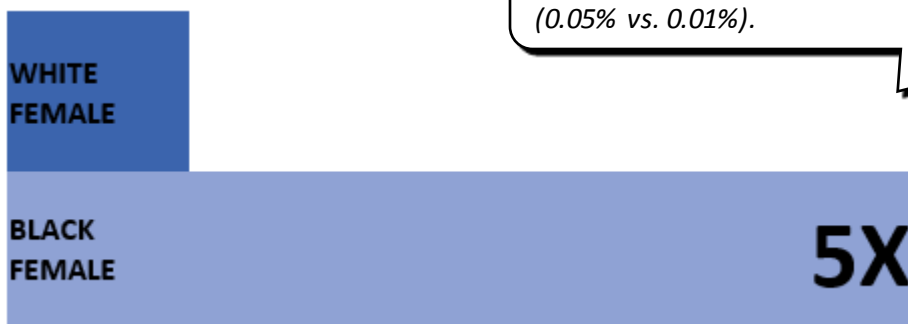
Black female students are roughly 3 times more likely to receive at least one in-school suspension than their white counterparts (3.0% vs. 1.0%).

OUT-OF-SCHOOL SUSPENSION



Black female students are roughly 5 times more likely to receive at least one out-of-school suspension than their white counterparts (6.5% vs. 1.3%).

EXPULSIONS



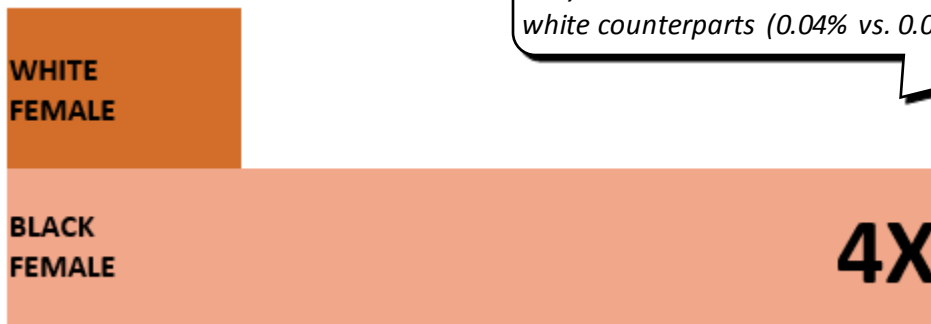
Black female students are roughly 5 times more likely to be expelled than their white counterparts (0.05% vs. 0.01%).

REFERRALS TO LAW ENFORCEMENT



Black female students are roughly 1.2 times more likely to be referred to law enforcement than their white counterparts (0.07% vs. 0.06%).

SCHOOL-RELATED ARRESTS

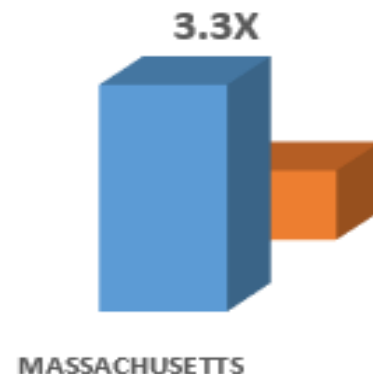


Black female students are roughly 4 times more likely to receive school-related arrests than their white counterparts (0.04% vs. 0.01%).

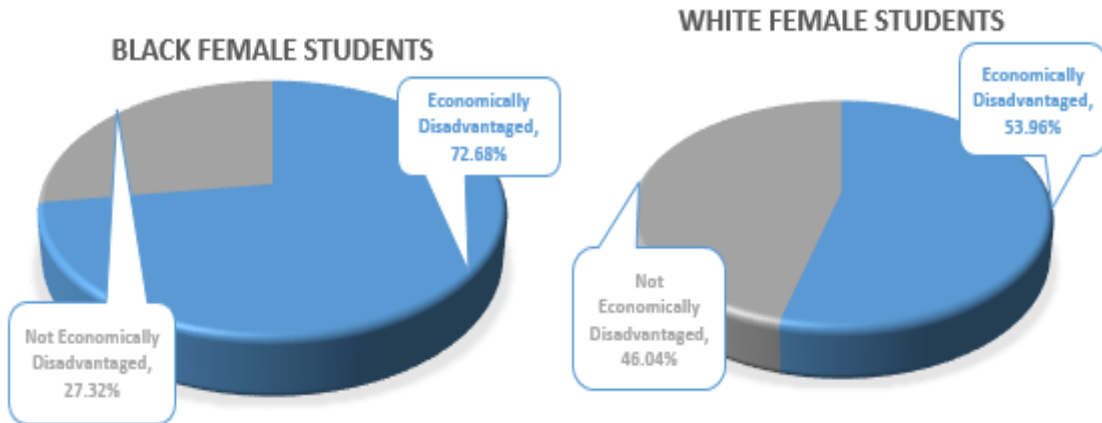
MASSACHUSETTS STATE DATA (2019)

The data presented in this section were collected in 2019 by the Massachusetts Department of Elementary and Secondary Education (“DESE”). DESE collects school discipline data annually from public schools in Massachusetts, and makes these data publicly available. DESE collects detailed information which allows the data to be cross-tabulated across multiple variables.

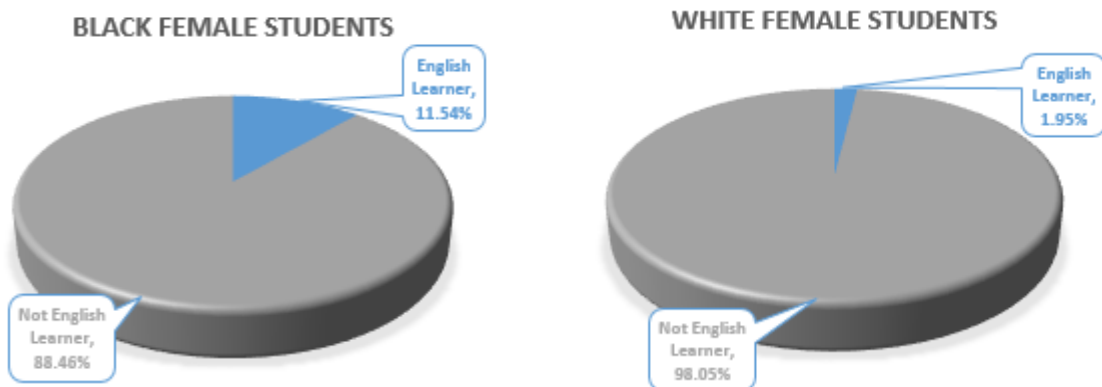
The adjacent graph compares the ratio of discipline incidents involving black female students to discipline incidents involving white female students. Black female students are 3.3x as likely to be disciplined as compared to white female students.



The following pie charts compare the discipline percentage of economically disadvantaged black female students and economically disadvantaged white female students.¹



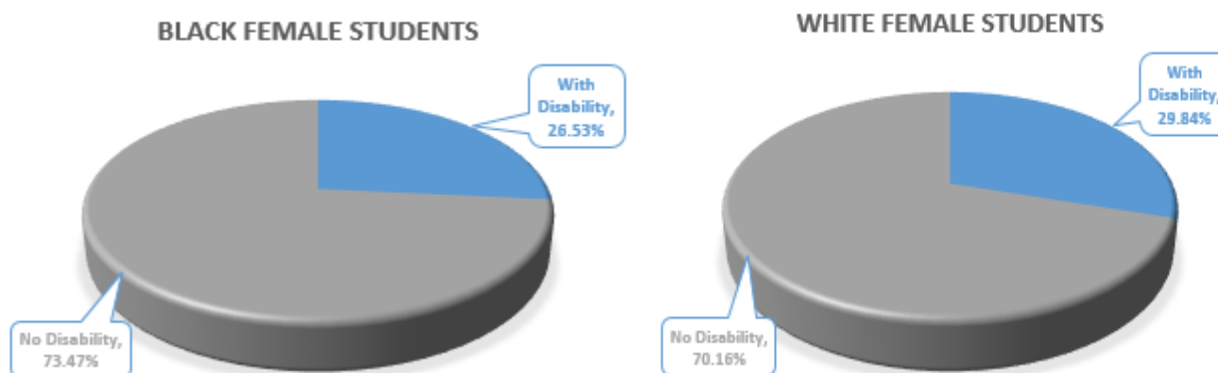
The following pie charts compare the discipline percentage of black female students who are English learners and white female students who are English learners.²



¹ "Economically disadvantaged" is calculated based on a student's participation in one or more of the following state-administered programs: the Supplemental Nutrition Assistance Program (SNAP); the Transitional Assistance for Families with Dependent Children (TAFDC); the Department of Children and Families' (DCF) foster care program; and MassHealth (Medicaid).

² "English learner" is defined as a student whose first language is a language other than English who is unable to perform ordinary classroom work in English.

The following pie charts compare the discipline percentage of black female students with a disability and white female students with a disability.



Massachusetts has a robust data collection program for incidents of school discipline which leads to more meaningful insights from the data collected. Cross-tabulation allows for deeper analysis of affected demographics and can result in more targeted and effective responses to the school discipline issues faced by girls of color. Massachusetts should be a roadmap for other states to improve or implement their own data collection. While racial disparities are still prevalent in Massachusetts, the state has been proactive and has passed impactful state-level legislation. Massachusetts also continues to work with local advocacy groups to address school discipline issues.

POLICY RECOMMENDATIONS AND FUTURE LEGISLATION

While the discipline data collected by the CRDC differ across Alabama, Kansas, and Massachusetts, one trend is clear: black female students are more likely to face suspensions, expulsions, referrals to law enforcement, and school-related arrests than their white female classmates. This imbalance remains true even where the total number of enrolled black female students is noticeably lower than the total number of enrolled white female students, such as in Massachusetts, where there were 238,178 more white females enrolled than black females in the 2015-2016 school year.

Although the federal data demonstrate that girls of color are disproportionately disciplined, there is little conversation about this inequity or how schools are addressing the issue. More data are needed in order to highlight the urgency of school discipline reform. Mandating consistent data collection through state and federal legislation is one way in which the public can better access reliable information. All discipline data should be cross-tabulated and disaggregated to account for demographics such as age, gender, race, and ethnicity. Legislation should also focus on transparent data publication, as well as incident reporting to and monitoring by state-level departments of education or other relevant authorities.

One example of proposed federal legislation is the Ending PUSHOUT Act of 2019 (the “Pushout Act”) introduced by Rep. Ayanna Pressley in December 2019. The goals of the Pushout Act are to reduce the use of exclusionary disciplinary practices, such as out-of-school suspensions or expulsions, and to expand access to education for all students. Some of the measures mandated by the Pushout Act include more robust school discipline data collection and incident reporting.

Legislation requiring regular data collection at both the state and the federal level will additionally address the drawbacks to relying solely on the existing CRDC data. The most recent CRDC data set is still five years old and is not the most accurate reflection of current school discipline disparities. The CRDC data also do not delineate factors such as age or students who receive multiple forms of discipline within one school year. Current and detailed data are imperative to create meaningful improvements in policies and laws addressing the disparities experienced by girls of color.

CONCLUSION

The gathering and sharing of information on school discipline is necessary to understanding how discriminatory school discipline practices funnel girls of color into the criminal justice system. Consistent data collection and transparent data publishing must be mandated at both the state level and the federal level in order to ensure that current data points are easily accessible to the public. More reliable and accurate data will help with the institution of policy changes to relieve the racial inequities in school discipline and to protect girls of color from the school-to-prison pipeline.

July 27, 2020