



How to End the Criminalization of Students of Color: Lessons from Louisiana

By Annie Balck and Gina Womack

School systems across the country have become tremendous funnels into the courts, sending thousands of youth of color to the juvenile justice system. Youth are now referred to the juvenile justice system for behaviors which have never in the past been considered delinquent, such as talking back, shoving or swearing. Rather than develop policies and procedures that enable school officials to handle misbehavior within schools, school districts have chosen instead to invest enormous resources in on-site law enforcement and draconian zero tolerance policies that have systematically driven vast numbers of youth directly into the courts, without appropriate due process for students and families. These practices disproportionately affect youth of color, who are negatively affected by zero tolerance policies and harsh security measures at an alarming rate.¹

These methods of handling student misbehavior through the juvenile justice system, rather than within schools, can have serious long-term negative effects for youth. Increasingly, research shows that once youth become involved in the juvenile justice system, they are more likely to engage in delinquent behavior in the future.² Hence, it is vitally important that schools become equipped to handle student misbehavior on their own, rather than kicking youth off to the courts, where their chances of success are greatly reduced.

Families and Friends of Louisiana's Incarcerated Children (FFLIC) has begun to reverse the funneling of youth from the schools to the courts through intense advocacy efforts and family involvement. Comprising over 800 members, FFLIC uses a grassroots approach to organize parents and other family members as the base for their movement to end the school to prison pipeline. In 2008, FFLIC successfully advocated for a revised student code of conduct in the Recovery School District (RSD) in New Orleans, a predominantly African-American district. Through its Stopping the School to Prison Pipeline Campaign, FFLIC worked with other advocates and school administrators to overhaul RSD's student code of conduct in order to move toward a positive, humane school culture that more effectively handles student misbehavior and reduces schools' over-reliance on suspensions and expulsions. FFLIC also worked at the state level in 2003 to develop a State Board of Secondary Education (BESE) model master plan aimed at keeping kids in school. FFLIC again focused on a positive approach to discipline, pushing for the integration of positive behavior supports (PBS) in schools.³ PBS is a decision-making framework that encourages pro-social skills and behavior, and supports both students and staff. FFLIC's advocacy resulted in the passage of the Juvenile Justice Reform Act of 2003, which required the BESE to develop a model master plan for improving behavior and discipline within schools.⁴

However, a policy change on paper only goes so far. Despite the changes to the student code, preliminary data from the 2008-2009 school year shows that out-of-school suspensions remain extremely high in the RSD, with an average of 186 out-of-school suspensions each week.⁵ Additionally, schools remain ill-equipped to serve students of color with special needs who are at greater risk for referral to the juvenile justice system. FFLIC continues its advocacy efforts on behalf of youth in the RSD by working with the district to implement the new code and working with individual parents and children. FFLIC partners in these efforts with other organizations such as the [New Orleans Parent Organizing Network](#), [Southern Poverty Law Center](#), and [Juvenile Justice Project of Louisiana](#) (JJPL) in order to leverage their advocacy. FFLIC has also secured a contract, along with JJPL, to provide training to school personnel on the new policies and procedures of the RSD student code of conduct. After the passage of the new code, FFLIC's staff met with RSD officials to discuss its implementation, including strategies, goals and targeted schools. The district, knowing of FFLIC's interest in revamping the code and holding the schools accountable, and viewing FFLIC as an effective partner in reform, granted the group the training contract.

Another crucial means of reversing the school to prison pipeline is to limit the use of law enforcement in schools. Many schools now employ their own police forces, with uniformed school resource officers (SROs) carrying weapons and acting as disciplinarians. Schools also increasingly use allegedly preventative measures such as metal detectors at entrances and daily pat downs of students, making children feel like criminals. This ubiquitous law enforcement presence further broadens the funnel from the schools to the courts, with police becoming involved in students' temper tantrums⁶ and other minor infractions such as shouting or spitting.

SROs and other security measures not only have harmful effects on youth, but are also decimating school budgets. FFLIC learned that in 2006-2007 the RSD spent approximately \$20 million on security for its student population of about 9,500.⁷ Such expenditures on security measures and personnel directly drain resources from other school programs, such as intervention services or early childhood programs, a crucial misalignment of funding during a time when budgets are extraordinarily tight.

FFLIC is working to reduce the RSD's and other Louisiana districts' over-reliance on law enforcement in schools. Thanks in part to advocacy by FFLIC, the RSD cut its security spending by over 50% during the 2007-2008 school year, reducing its school security contract to \$8 million.⁸ FFLIC is now collaborating with the RSD to develop and implement a best practice policy for the use of security and law enforcement on school grounds and is connecting the district to experts to provide quality best practices training for security personnel on adolescent development, conflict resolution, and professionalism.

The work of FFLIC and other family groups demonstrates another vital component of school discipline policy reform: family involvement. Family involvement is crucial at both the individual student level and the broader system reform level. As a constituency, families can be incredibly effective advocates in advancing change and holding school districts accountable. Through FFLIC, family members receive training in the areas of survey development, data compilation, education, and the human rights of children. Families can attend Discipline Advocacy and Advocacy 101 trainings where they learn about their rights in the schools and strategies to advocate for their children during an expulsion hearing. FFLIC also provides leadership development opportunities for families and seeks to empower family members as advocates for students. It is these family members who successfully pushed for the revised RSD student code of conduct and are now working to implement PBS on a statewide level and reform the state's zero tolerance laws.

There is no question that school districts across the country are failing in their obligation to provide a quality education to youth of color. However, even more disturbing is the way in which schools now actively

contribute to the funneling of youth into the juvenile justice system. This school to prison pipeline is now well documented, and is disproportionately affecting youth of color. Now is the time for families, advocates, administrators, legislators, and communities to come together to redirect the pipeline away from prisons to a more promising path of higher education and successful careers.

Annie Balck is the Program and Policy Associate at the National Juvenile Justice Network (NJJN). NJJN is a membership organization whose mission is to enhance the capacity of state-based, juvenile justice coalitions and organizations to advocate for fair, equitable and developmentally appropriate adjudication and treatment for all children, youth and families involved in the juvenile justice system. Learn more about NJJN at www.njjn.org.

Gina Womack is the Executive Director of Families and Friends of Louisiana's Incarcerated Children (FFLIC). FFLIC is a statewide membership-based organization and NJJN member that fights for a better life for all of Louisiana's youth, especially those involved in or targeted by the juvenile justice system. The goal of FFLIC's Stopping the School to Prison Pipeline Campaign is to create safe schools for all of New Orleans' and Louisiana's children by keeping kids off the streets, out of the juvenile justice system and in school where they belong. Learn more about FFLIC at www.fflic.org.

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¹ Russell Skiba et al., "Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations," *American Psychological Association* (August 2006): 11.

² Uberto Gatti, Richard E. Tremblay and Frank Vitaro, "Iatrogenic Effect of Juvenile Justice," *Journal of Child Psychology and Psychiatry* Vol. 50 Issue 8 (2009): 991-998. Available at http://www.jdaihelpdesk.org/Docs/Documents/Gatti%20et%20al%202009_1.pdf. Also see Anthony Petrosino, Carolyn Turpin-Petrosino and Sarah Guckenburt, "Formal System Processing of Juveniles: Effects on Delinquency," *Campbell Systematic Reviews* (January 2010). Available at <http://www.campbellcollaboration.org/lib/download/761/>.

³ To learn about additional successful efforts toward reform in schools across the country, through PBS and other positive interventions, see "Test, Punish, and Push Out: How 'Zero Tolerance' and High Stakes Testing Funnel Youth into the School-to-Prison-Pipeline," *Advancement Project* (January 2010): 34-42. Available at http://www.advancementproject.org/sites/default/files/publications/rev_fin.pdf.

⁴ Act 1225, Chapter 14, Subpart C-1 (2003). Available at http://www.legis.state.la.us/leg_docs/03RS/CVT10/OUT/0000KTKP.PDF.

⁵ Recovery School District, Office of School Management, Division of Multiple Pathways (2008-2009).

⁶ James Bell, "Juvenile Justice and Race: An Uphill Climb to the Bottom," *The Huffington Post* (November 18, 2009). The Founder and Executive Director of the W. Haywood Burns Institute chronicles the stories of two little girls who were arrested in their classrooms for temper tantrums. Available at http://www.huffingtonpost.com/james-bell/juvenile-justice-and-race_b_362283.html.

⁷ Darren Simon, "Vallas Relied on Contractors to Transform the RSD," *nola.com* (March 25, 2008). Available at http://www.nola.com/news/index.ssf/2008/03/vallas_relied_on_contractors_i.html.

⁸ Ibid.