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From Barrios to Bars: The School-to-Prison Pipeline and Its Impact on Four-Year College Enrollment Rates for Latino Youth

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Abstract

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Introduction

A college education has become vital for stable living in our current climate. A bachelor's degree has often been referred to as the new high school diploma. There is not a doubt that college enrollment and college completion are two impending tasks that education is posited with. However, data by Pew Research Center demonstrates that Latino youth trail behind their White, Asian, and Black counterparts in college completion rates with only 15% of hispanics age 25-29 with a bachelors degree or more in the year 2014 (Krogstad, 2016). Despite the 35% of Hispanics between the ages of 18-24 enrolling in college, Hispanic students have the most representation at two year colleges. Krogstad's, "5 Facts About Latinos and Education" (2016) indicates that 48% of Hispanic students are enrolled in two year public colleges compared to 36% black students, 32% Asian students, and 30% white students. Similarly, a report by Excelencia in Education (2016) found that in the year of 2014, Latino males represented 52% of the college-age but only 43% of Latinos enrolled in college. The report does not indicate whether the 43% of Latinos enrolled in a two-year or four-year college. While higher representation at a two-year college does not necessarily explain why Latino students trail behind other racial and ethnic groups, Arbona and Nora (2007), argue that community college enrollment is not the best gateway to a bachelors degree. When examining the differences among a two-year college versus a four-year college track, Arboga and Nora (2007) founds that among the Hispanic students who went to college in 1992, 58% enrolled in a two-year college where as 42% enrolled in a four-year college. Of the 58% that attended a two-year college, only 7% went on to attend a four-year college and obtain a bachelors degree within 8 years while 44% of the 42% that enrolled in a four-year college had earned a degree by the end of the same period (2009). The California

Community Colleges Fact Sheet from the California Community College Chancellor's office indicates that for every \$1.00 California invests in a student who graduates from college, it will receive a net return on investment of \$4.50. The report also finds that California students who obtain a college degree will earn 400,000 more in their lifetime than their peers with only a high-school diploma. Within the academic year of 2016-2017, the report found that Hispanic students were most represented at 43.61%. The research by Arboga and Nora demonstrates that Latino youth are overrepresented at two-year colleges and are thus obtaining bachelor's degrees at lower rates than those who initially enroll in a four-year college (2009). In order to maximize the number of Latino youth obtaining bachelor's degrees, it is imperative that guidance and supervision is provided in order to ensure a four-year college track.

There is a great amount of research that documents the effects of structural factors (i.e. race/ethnicity, SES, gender) (Ponjuan, Polomin, Calise, 2015) on the educational attainment and college going rates of minority youth. Along with structural factors, other variables that researchers have cited include college readiness, financial aid availability, and information about the college application process (Ponjuan et al. 2015). While countless articles document the structural factors related to a student's educational trajectory, there is minimal research that explores how policy and institutional practices have a longitudinal impact on a student's educational trajectory. I do not argue that structural factors are not valid nor do I disagree with the findings. However, I do argue that there needs to be a shift from deficiency discourses that echo sentiments of lacking skills or information necessary for college enrollment to an analysis of how institutions, and schools specifically, inhibit the productivity of their students through the implementation of harsh disciplinary practices. In *The Vanishing Latino Male in Higher*

Education, Luis Ponjuan and Victor Saez question where Latino males are going if they are not attending college. Among military careers and entering the workforce, Ponjuan and Saez hypothesize that Latino males may be dropping out of high school or may be institutionalized at higher rates than other groups. Expanding on the hypotheses of Ponjuan and Saez, this thesis will explore the impacts of punitive school disciplinary practices of the 1990's and their potential connection to school drop-out and college enrollment rates. With close attention to the manifestation of the zero tolerance and 'tough on crime' agendas, this thesis argues that rather than providing and establishing a safe school climate, zero tolerance policies are ineffective and perpetuate a number of negative outcomes for Latino youth. Three negative outcomes that will be discussed include high school drop out rates, increased likelihood of getting involved with the juvenile justice system, and lower four-year college enrollment rates. Then I will explore the tax burden that high school drop-out rates and keeping youth detained in juvenile detention centers have on a community. My research questions for this thesis include: What is the correlation, if any, between suspension/expulsion and continuing an education? What are the educational trajectories of youth after they have been suspended/expelled? How many youth return to school, upon exiting the juvenile justice system? How many youth graduate with a high school diploma, upon exiting the juvenile justice system? How many formerly incarcerated youth enroll in a four year college?

Background

The school-to-prison pipeline has been referred to as a cycle and systemic push out of students, who are predominantly of color and of low socio-economic class, from educational institutions into increased likelihood of negative affects like involvement with the the juvenile correctional system (Advancement Project 2005, Gass and Laughter 2015, Rich 2016, Seroczynski and Jobst 2016, Mallet 2016, Thomas 2013, Skiba, Arredondo, & Williams 2014, Okilwa, Khalifa and Briscoe 2017, Ruiz 2017, Castillo 2014). The pipeline has widely been identified as a cycle that is actively perpetuated through disciplinary practices such as zero tolerance policies (Aull 2012, Castillo 2014, Skiba 2014, Ruiz 2017, Okilwa, Khalifa and Briscoe 2017, Fedders and Langberg 2013, Skiba, Arredondo, and Williams 2014, Mallet 2016, Cramer, Gonzalez, and Pellengrini-Lafont 2014, Rich 2016, Gass and Laughter 2015). The use of the term “school-to-prison pipeline” suggests that the policies and practices of schools, rather than the sole characteristics of the students themselves, are responsible to some degree for negative outcomes such as school drop-out and or increased likelihood of involvement with the juvenile correctional system (Skiba et al. 2014). The concept of the school-to-prison pipeline emerged around the 1990’s when The Gun Free Schools Act of 1994 mandated a calendar year expulsion for possession of a firearm on school grounds (Okilwa et al. 2017, Skiba 2014). The law also mandated a referral of law-violating students to the criminal or juvenile justice system, and a provision that the state law must authorize the chief administrative officer of each local school district to modify such expulsions on a case by case basis (Skiba 2000). In a time where violence and crime rates were thought to be rising, policy like the Gun Free Schools Act was enacted to combat violence and to establish safe schools. In order for schools to continue

receiving federal funding, they were mandated to implement the tough on crime agenda. The Gun Free Schools Act policy signaled the implementation of “zero tolerance” policies which are cited as one of the school-to-prison pipeline’s main contributors (Ruiz 2017). The Zero Tolerance Task Force Report (Skiba et al. 2006) states how the term “zero tolerance” was originally developed as an approach toward drug enforcement but was later adopted by many schools. Zero tolerance policies are regulations, policies, and philosophies that require specific punishments or predetermined consequences for outlined student misbehaviors, many times without accounting for the unique circumstances of an incident such as seriousness of the behavior and or situational context (Ruiz 2007, Skiba et al. 2006). The idea behind zero tolerance policies and philosophy is one that believes that strong enforcement would deter individuals from being disruptive (Skiba 2014). Based on the “broken window” theory, which contends that communities must react to all disruptions in their social order with a strong force in order to send a message about what is accepted and what is not, the philosophy behind zero tolerance policies argues that failing to intervene will only perpetuate a cycle of disruption (Skiba 2014). Despite a general acknowledgement of what zero tolerance policies are, the lack of a single definition, posits a challenging task to acquire a quantitative understanding of specific outcomes related to the punitive disciplinary practices. The focus of this thesis is to examine the impact of zero tolerance policies on the educational trajectories of Latino youth. The literature review will examine the effectiveness of zero-tolerance policies with a subsequent review on some of the effects of zero-tolerance policies, specifically drop-out rates and suspension rates. A review of drop-out and suspension rates will be conducted to examine their relationship with the heightened probability of involvement with the criminal justice system.

Literature Review

Zero tolerance policies were initially implemented as a mechanism to ensure school safety. While I do not argue that school safety is not a pressing issue, I do argue that zero tolerance policies are ineffective in achieving a safe school climate and, rather, bring about negative consequences that detrimentally impact the lives of potentially promising youth. Researchers have found that zero tolerance policies and their accompanying disciplinary practices have increasingly been over-used in U.S. schools. In *A System Gone Berserk: How Are Zero Tolerance Policies Affecting Schools*, author Stephanie Martinez (2009) argues that after inspecting the affect of zero tolerance policies, there is more evidence that they do more harm than good. Martinez (2009) continues by stating that “this policy needs a complete overhaul or, better yet, to be eliminated from district policy manuals” (p. 153). The Zero Tolerance Task Force Report, co-authored by Educational Psychologist Russel Skiba (006) argues that the increased reliance on more severe consequences in response to student disruption has also resulted in an increase of referrals to the juvenile justice system for incidents and issues that were once handled by school personnel. *Zero Tolerance, Zero Evidence* (Skiba, 2000) finds that beginning in 1989, school districts in California, New York, and Kentucky mandated expulsion for offenses for drugs, fighting and gang related activity. Zero tolerance policies were adopted across the country by 1993 and expanded to include smoking and school disruption (Skiba, 2000). A report by the National Center on Education Statistics, found that “94% of all schools have zero tolerance policies for weapons or firearms, 87% for alcohol and 79% have mandatory suspension or expulsions for violence or tobacco” (Skiba 2000, Castillo 2014).

Russel Skiba (2000) states that school exclusion, suspension, and expulsion is “a cornerstone of zero tolerance policy” (pp. 10). Skiba (2000, 2006, 2014) examines zero tolerance policies and their subsequent disciplinary practices extensively and finds that they are ineffective in creating a conducive learning environment for students. He argues that rather than improving school climate, out of school suspensions have negative impacts on student outcomes and the learning climate (Skiba 2014). In accordance with Skiba’s (2000, 2006, 2014) argument, the Civil Rights Project at UCLA (2015) finds that out of school suspensions do not provide any academic benefits and instead damages student performance due to the classroom instruction time that is lost (Losen et al). “Are We Closing The School Discipline Gap,” (Losen et al. 2015) a report by the Civil Rights Project at UCLA generated a report that explored the national impact of school suspensions at the elementary level and secondary level. When comparing the state secondary suspension rates, the article reports that Latinos are suspended between the rates of 4% to 21% (Losen et al, 2015). Through identifying the suspension rates of each race and ethnicity, results showed that the state of Florida had the highest suspension rate for all secondary students at 19% (Losen et al, 2015). It is important to consider which students are being targeted for suspension as a means to understand current trends. Along with the disproportionate impact on varying races, the report also showed that among every race, males were suspended at higher rates. For the Latino subgroup, the data revealed that Latino males were suspended at 14.4% and Latina females were suspended at 6.9% (Losen et al, 2015).

Jennifer Castillo (2014), a Boston College Law School alumni, echoes this finding and finds that school suspension predicts higher future rates of misbehavior and suspension among those who are suspended (p 48). Castillo (2014) finds that in the long term, school suspension

and expulsion are associated with a higher likelihood of school drop out and failure to graduate on time. Latino youth are found to be three times more likely to be suspended, expelled, and referred to the criminal justice system than their white counterparts according to Castillo (2014). Along with Skiba (2000, 2006, 2014), Castillo (2014), and the Civil Rights Project (2015) there are many other scholars and organizations that have identified that racial disparities that exist through the implementation of zero tolerance policies and through the school to prison pipeline generally.

There is a striking relationship between school disciplinary practices and heightened involvement with the criminal justice system. Beyond the probability of suspensions and expulsions increasing the chances that students will come into contact with the criminal justice system, there is an increase of arrest taking place on school grounds.

Sociologists David S. Kirk and Robert J. Sampson (2013) have found that arrests may lead to lower chances for high school graduation and college enrollment rates. Kirk and Sampson (2013) argue that time spent in court, juvenile detention or reporting to a probation officer leads to absences and an unstable learning trajectory. When time is not spent in the classroom and is instead being dedicated to legal matters, there is a logical outcome which results in an inability to learn what lessons are being taught in class that day. Kirk and Sampson's study explores the relationship between arrest and later high school drop out and college enrollment for a group of Chicago youth. Their data revealed that 64% students who did not run into contact with the juvenile justice system graduated high school where 26% of students who were arrested graduated high school (Kirk and Sampson 2013). Subsequently, 35% students without criminal records who graduate high school or had a GED enrolled in a four-year college while only 16%

of youth who were arrested enrolled in a four-year college. (Kirk and Sampson 2013). The authors conclude that the differences between arrestees and non-arrestees and their likelihood for college enrollment suggests that an arrest has a severe impact on educational trajectory. The Zero Tolerance Task Force Report indicates that by its very nature, the use of out-of-school suspensions and expulsion resultantly poses some risk to educational opportunity (Skiba et al. 2006). The report continues to speculate if implementing procedures like out-of-school suspension and expulsion, which remove students from the classroom and resultantly deprive them from the opportunity to learn and weaken the school bond, are effective enough in changing student behavior to offset the risks in lost instructional opportunities (Skiba et al. 2006).

The existing literature on the school-to-prison pipeline, suspensions/expulsions, and their relationship to academic outcomes leads to the question of what happens to students once they return to school, if ever, after being funneled into the juvenile justice system. An equally pressing issue is the exploration of re-enrollment processes of youth. Jessica Fireman, Marsha Levick, and Ami Mody (2009) explore the obstacles that come with the re-enrollment of adjudicated youth. Despite the importance of acknowledging the issues related to the increase of school referrals to the juvenile justice system, it is important to explore what youth experience next and how youth navigate institutions like educational spaces. Fireman, Levick, and Mody (2009) state that less attention has been paid to the obstacles children face after exiting the juvenile justice system with desires of returning to their neighborhood schools. The authors argue that some of the reasons why school re-enrollment may be difficult for formerly incarcerated youth includes the idea that students pose a threat to the schools safety and the fact that schools fear these students

will perform poorly on standardized test (Feirerman, Levick, and Mody 2009). While detention centers offer educational services, upon release and upon an attempt to re-enroll in a “traditional” school, students find that even if they are successful with the school re-entry process, there are a variety of “technical barriers” (p. 1117) that students may experience. By “technical barriers” the authors state how some school districts may not accept the coursework and credits that were completed in a detention facility. Additionally, when schools cannot accept the credits that were obtained at a detention center, by default students fall behind their peers and makes completing school difficult. Anne Burns Thomas (2014) highlights how school district officials may also make the re-enrollment processes difficult in order to help their schools meet academic and safety performance goals. Thomas (2014) continues how the creation of alternative schools has allowed many local schools to deter court-involved youth. She cites two states, Pennsylvania and Alabama, in where court-involved youth who are transitioning from out-of-home placements are required to attend alternative schools. In a retributive society, we see that even when individuals pay the price for their crime or offense, they are not easily accepted by society and are instead labeled as delinquent and are deprived of various resources and services. Thomas (2014) addresses that there is federal policy that covers the transition process for youth who are leaving the foster care system but there is no federal policy covering the transition process for court-involved youth. In accordance with Thomas (2014), Paul J. Hirschfield (2014), a sociologist at Rutgers University, highlights how policy in California allows students who transfer from the foster care system into a new school to receive a diploma without meeting local graduation requirements if they are in the 11th or 12th grade as long as they meet state requirements. Both Thomas (2014) and Hirschfeld (2014) suggests that similar policy can exist for formerly

incarcerated and court-involved youth in order to aid in their re-entry into educational spaces. While there has been gradual process in advocating for formerly incarcerated youth, it is clear that opportunities and privileges are scarce for individuals who are seen as delinquent or labeled as super-predator.

Data/Methodology

An analysis of peer reviewed articles and books on the school-to-prison pipeline was conducted to extract the manner in which the cycle is perpetuated and manifested. The University of California, Riverside's databases were utilized to find peer reviewed articles. Key words such as "school-to-prison pipeline," "suspension," "drop-out" were entered in the search bar. Secondary data on college enrollment rates was retrieved from websites like the National Center for Educational Statistics, Pew Research Institute, Excelencia in Education, and the Community Colleges Chancellor's Office. Secondary data on suspension rates and law enforcement referrals was collected from the U.S. Department of Education's Office of Civil Rights. Secondary data on confinement costs was collected from the California Department of Corrections and Rehabilitation and the Justice Policy Institute. Data and statistics on federal spending on education was collected from the U.S Department of Commerce.

Findings

The data that follows will review several impacts, consequences, and components of the school-to-prison pipeline including school suspension, confinement costs, and recidivism rates.

School Suspension

The U.S. Department of Education Office of Civil Rights (2018) surveyed all public schools and school districts in the United States in the 2015-2016 academic school year to account for school climate and school safety. The School Climate and Safety Report (2018) collected information on student enrollment, number of incidents of serious offenses, law enforcement referrals, school-arrests, and school discipline. The School Climate and Safety report defines school climate as “interrelated aspects of the quality and character of school life” (p. 2). The report included 17,337 school districts, 96,360 schools, and 50.6 million students. The demographics show that of the 50.6 billion students that were enrolled in a public school in the 2015-2016 school year, 26% were Hispanic or Latino of any race (U.S Department of Education, 2018). Boys accounted for 51% where girls accounted for 49%. When accounting for incidents of serious offenses, the survey found that a physical attack or fights without a weapon accounted for about 75% or 789,800 incidents of serious offenses. Threats of physical attack accounted for the second largest incident of serious offenses 19% or 200,800. The report collected data on exclusionary discipline practices which includes both out-of-school suspension and exclusions. When considering the strict zero-tolerance policies that have been strictly implemented invidious schools, it is not surprising to find that 2.7 million students received one or more out-of-school suspension within the 2015-2016 school year. The report revealed that of the number of enrolled students, Hispanic or Latino males of any race made up 13% and from

this 13%, 15% of accounted for out-of-school suspensions. There is a 2% difference among the Hispanic or Latino enrollment in public schools and the out-of-school suspensions that are granted to them. When exploring the number of referrals to law enforcement and school-related arrests, the report found that out of the 25% of the Hispanic or Latino of any race population, 24% received referrals to law enforcement or school-related arrests. Although the statistics show that Latino students were not referred to law enforcement or arrested at a percentage higher than their student enrollment like other races, it is important to realize that a 2% difference does not suggest progress. In concurrence with the literature that shows that males are disciplined more harshly than females, the report revealed that of the 51% of enrolled male students, 69% of males received a referral to law enforcement or were arrested during the 2015-2016 academic school year. When distinguishing by sex, Latino male students were found to represent 13% of enrolled students and 15% of students who received out of school suspension where as Latina female students accounted for 13% of enrolled students and 6% of students who received an out-of-school suspension. The 2013-2014 school report is not much different with 51% of male student enrollment and 71% of those students being referred to law enforcement or arrested in that school year.

Confinement Costs

In December 2014, the Justice Policy Institute released a report which highlighted the confinement costs for incarcerated youth. Along with including data on state expenses for confinement, the report also includes an analysis of the costs of recidivism, educational attainment, disparities in employment and earnings, and recommendations for policy and programs. *Static Shock: Calculating the Full Price Tag for Youth Incarceration (2014)* begins by acknowledging that various states have made progress in decreasing the use of incarceration to combat youth behavior. Despite the efforts of varying states, the report indicates that there are various occasions in which temporary confinement continues to be over used. A report by Mellissa Sickmund et al. (2001) as cited in the Justice Policy Institute's report (2014) found that in the year 2011, 62% of the committed youth were adjudicated for a non-violent offense. The report subsequently acknowledges the racial disparities among those who are incarcerated by revealing that African Americans and Hispanics/Latinos males up approximately one-thirds of the population but account for two-thirds or more of the young people confined.

Recidivism

The state of California's Department of Corrections and Rehabilitation 2016 Juvenile Justice Outcome Evaluation Report defines recidivism as "a return to DJJ custody, a return or commitment to DAI custody, an arrest, or conviction within three years of release from DJJ custody" (p. 2). In this definition, DJJ refers to the Division of Juvenile Justice which is responsible for state-level supervision and custody of youthful offenders and DAI refers to the Division of Adult Institutions which is responsible for the state-level supervision and custody of adult, felony offenders. The report tracks the rate of recidivism for 645 youth who were discharged from the DJJ in the fiscal year 2011-2012 and finds that in a three-year period, 37.3% returned to state-level custody within three years (2016). While this percentage may seem fairly low, the report finds that when reducing the time span, 64% of youth returned to state-level incarceration within 18 months of their release from the DJJ. When considering the amount of individuals who return to state confinement within a year of their release, we see that state correctional facilities are unsuccessful in reducing recidivism rates. Tax-payer money continues to fund the detention of various youth who, statistically, will return into state custody within a year by over 50%. A report by the Justice Center from The Council of State Governments also acknowledges the poor recidivism rates. Using data from the Bureau of Justice Statistics, the Justice Center found that 36% of individuals released from state prisons were incarcerated for a new crime within 3 years of their release and that 45% were incarcerated within 5 years (2016). There is room to question then, where the logic is if it is expensive to keep a youth confined and if it is extremely expensive to continue to pay for their incarceration or detention if recidivism

rates statistically show they had more than a 50% chance of getting involved with in the criminal justice system

Educational Expenses

The state of California has one of the largest public student populations in all of the United States. An education finances report by the Educational Finance Branch finds that in the year 2015, there were 6,226,523 students enrolled in elementary-secondary schools (U.S. Department of Commerce, 2017). In the year 2015, California spent \$10,467 dollar per pupil enrolled in a public elementary or secondary school. A great amount of the ten thousand dollars are used for instruction, and salaries and wages more specifically. While paying teachers and staff is a crucial component of running an efficient school, schools must also ensure that their students needs are being met. The 2015 Public Education Finances report (U.S. Department of Commerce, 2017) finds that of the \$10,467 that is spend per pupil, only \$574 were allocated towards pupil support, which is defined as “expenditures for administrative, guidance, health, and logistical support that enhance instruction. Include attendance, social work, student accounting, counseling, student appraisal, information, record maintenance, and placement services. Also include medical, dental, nursing, psychological, and speech services” (p. 44). It is a harsh reality that the institution that is responsible for educating students does not have enough fiscal resources to support student needs.

Clive Belfield (2014), an economics professor at Queens College explores government spending in California and concludes that the patten of government spending in California exposes a reality of inadequate state investment in education. Belfield (2014) reveals that the government in California spends a large amount of money on health care, the criminal justice

system and welfare programs. In the year 2012, total state expenditures equalled \$320 billion. Belfield provides a breakdown of expenses, reporting that of the \$320 billion, \$68 billion was spend on the Health and human Services Department and an additional \$43 billion as spend on crime for things such as corrections, police protection, fire proaction, and judicial and legal services, while only less than 1% was spent on education. While the blame may not rest on each educational institution, it is worth exploring how the money that is granted to a school distributed and being used.

A report titled Crime, Violence, discipline, and Safety in U.S. Public Schools (2017) from the U.S. Department of Education surveyed U.S. public schools in relation to crime and violence on school grounds. For the 2015-2016 academic school year, the study finds that among the selected findings, schools reported that the lack of or inadequate alternative placements or programs for disruptive youth was the leading factor that limited a school's efforts for reducing or preventing crime in a major way. The second factor that inhibited a schools efforts to prevent or reduce crime in a major way included inadequate funds. The factors regarding inadequate placements/programs and inadequate youth provides a platform for exploration and questioning. If there is a small percentage of money being allocated to schools and an even smaller amount of money being used for pupil services and other programs, there is a grand problem that presents itself, especially when the state's population continues to grow.

Tax Burden

Matters of fiscal sense are most often a topic of discussion when examining social phenomenon or social issues like the school-to-prison pipeline. Researchers, educators and other groups have worked to reveal the misallocation of funds that are appropriated towards incarcerating youth (Rumberger & Losen 2016, Belfield 2014).

The Justice Center from The Council of State Governments argues that despite the rise in corrections spending, the poor recidivism rates do not justify the amount of money being spent. The article highlights that within the past 20 years, state spending on corrections has risen nationally. In 1988 state spending on corrections was \$12 billion and in the year 2016 state spending rose to 58%. The Justice Center finds that a national 10% cut in recidivism rates would save states \$635 million combined in one year of averted prison construction costs. The Center for Civil Rights Remedies at the University of California, Los Angeles released a report in 2016 which explored the fiscal impact harsh discipline has on tax payers. Additionally, the report set out to find what savings a small reduction in school suspension would generate. Using the findings of three previous studies, authors Russel Rumberger and Daniel Losen (2016), estimate the fiscal and social cost of school suspensions in Florida, California, and the United States. The findings were based on the impact and economic costs for the high school graduating class of 2004. There were two longitudinal student databases that were used to generate the findings of the report. The findings show that students who reported an out-of-school suspension or an in-school suspension in the first semester of their tenth grade year were much less likely to graduate from high school versus students who were not suspended (2016). In the United States, only 71% of tenth graders who received a suspension graduated from high school versus 94% of the

students who did not receive a suspension (2016). Rumberger and Losen (2016) acknowledge that students who are suspended may be less likely to graduate high school for other reasons besides being suspended. The authors identify poorer attendance, lower grades, and a higher likelihood of being retained than students who are not suspended ().

A 2014 report by Clive Belfield, an economics professor at Queens College, calculated the economic losses that result from students dropping out of high school and resultantly relates the finding to current school policies and suspensions. In his report, *The Costs of High School Failure and School Suspensions for the State of California*, Belfield (2014) argues that approximately 100,000 students from each cohort of California students will drop out of high school and will face poorer economic and personal well-being compared to their peers who earn a high school diploma. Belfield (2014) continues by stating how the substantially poorer economic and personal well-being creates financial pressure on state and local government agencies that increase their amount of spending on health, criminal and welfare services as a result of high drop out rates. In accordance with a 2016 report by the Justice Policy Institute, the Queens College economics professor stresses the tax burden that the state of California faces when students do not graduate high school. Belfield (2014) finds that the state of California loses between \$118,000 and \$175,000 in net tax revenues per drop out and argues that school suspensions are a “ripe” area for improvement being that suspension is “known to have an adverse effect on high school completion” and “thus to have clear economic consequences” (p. 2). It is important to mention that minority males from low-income backgrounds are impacted at greater rates of school suspension and incompleteness of high school presenting a gross and vicious cycle within our institution of education. Minority males are suspended at higher rates, which

leads to a higher likelihood of dropping out of school, which then leads to minority males being more likely to depend on local and state government assistance. As previously mentioned, suspensions and harsh punitive discipline may seem as the best course of action, but educators, policy makers, and administrative staff need to be conscious of the amount of money that comes out of their pocket. While it is also premature to believe that suspensions should end, the state of California can work on reducing the amount of suspensions to save money. Professor Clive Belfield (2016) finds that a baseline suspension rate of 15% in California will result in 78,410 suspended students in each cohort. He continues to state how if the baseline suspension rate falls from 15% to 14%, or one percentage points, there will be 160-370 fewer drop outs. If the suspension rate falls by 10%, from 15% to 5%, Belfield (2016) finds that fiscal savings range from \$137 million to \$320 million. Recent research continues to verify that suspension has a negative fiscal impact on the state and leads to a greater expense when students get funneled into the criminal justice system.

Discussion

The school-to-prison pipeline has come to be one of the leading phenomena that legislators, educators, and other community members have been tackling. Considering the components of the pipeline (i.e. suspension, high school drop-out, involvement with juvenile justice system), it is imperative that the issues associated with the pipeline are addressed and combatted with resolutions.

Due to an unclear categorization of what constitutes “zero tolerance” policies, school administrators and school districts are able to manipulate student misbehavior and infractions. They are thus able to assign whatever consequence they see fit and attribute the consequence to

the mandates of zero tolerance policies. The autonomy and discretion of school officials to determine consequences should be taken with caution. Giving school officials the autonomy to make decisions regarding a student's punishment opens the door for a punishment that is not fit to the "crime." Legislation like SB 607, a bill on pupil discipline is one step in the right direction. The bill addresses willful defiance as grounds for suspension and expulsion and challenges prior legislation which allows superintendents and or principals of a school district to suspend an enrolled student if the student has "committed a specified act, including, among other acts, disrupting school activities or otherwise willfully denying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel." Current legislation prohibits the suspension of students in K-3 from being suspended for disrupting school activities or willfully defying the authority of school personnel but does not protect students from grades 4-12 from suspension for willful defiance.. By extending this legislation to all K-12 students, there is potential for a decrease in suspension and expulsion of Latino youth due to willful defiance. Policy like SB 607 would aid in limiting the number of students who are suspended due to willful defiance. An article by The Justice Policy Institute (2015) revealed that in California during the 2010-2011 school year, 40% of all suspensions were for "willful defiance" which was defiance as "any behavior that disrupts a classroom" by the US Department of Education in 2012. While SB 607 may not initially be successful at abolishing or even limiting the number of "willful defiance" suspensions, it is a start at protecting the rights of students who are statically more likely to be targeted for willful defiance.

Similarly, legislation in Virginia and Maine mandates that schools and school personnel must cooperate to provide recently released youth with services to promote and facilitate a

smooth re-entry into educational spaces (Frierman et al., 2009). Authors Frierman, Levick, and Mody report that West Virginia Law mandates school districts to cooperate in transferring the educational records and accept credits earned toward graduation by youth who are re-entering upon release from a detention center. This legislature requires that an individual plan is created for the student in which a descriptive record is taken for the type of education, counseling, and treatment that the juvenile received while in detention.

The policy mentioned above is the first step in tackling a sensitive yet pressing issue. It is important for policy to be implemented consistently and appropriately for it to be successful. In an article on racial domination, Matthew Desmond and Mustafa Emirbayer (2009) from the University of Wisconsin explain that legalistic fallacy assumes that abolishing racist laws automatically leads to the abolition of racism at large. They identify the historical case of *Brown v. Board of Education* and explain how it outlawed de jure segregation, but did not abolish de facto segregation. Current research shows that schools are more segregated now than they ever have been, thus proving that *Brown v Board of Education* was successful to a certain extent but requires more progress. When legalistic fallacy is applied to the issue of school suspension or mass incarceration, it manifests itself in the same way. Although there are laws put in place highlighting when individuals may be suspended, detained, or arrested, research shows that 1) “There is further evidence to indicate that teachers more often refer African American and Latino students to the office for subjective discipline issues (e.g., defiance, disrespectful, argumentative) than they do for White students (Skiba et al., 2002) and 2) the United States holds the highest incarceration rate at 2.2 million. When considering the issue of teachers referring black and brown youth to the office at disproportionate rates, statistically, this population is at a higher risk

for school drop out and involvement with the juvenile justice system. It is important to be critical of the systems and institutions that surround us as well as the legislation and agendas these institutions have in place. Educators and school officials who are employed at schools where black and brown are the majority need to be conscious of how these brown and black bodies enter educational spaces already “at risk.” There needs to be an effort from school officials and teachers to create spaces and resources for youth who are more likely to be disciplined because of their skin tone.

While it is unclear how many formerly incarcerated or formerly detained youth end up returning to school, the research by Feierman et al. (2009) explores some important hinderances this population may face. Further research that tracks school re-entry rates for formerly incarcerated youth needs to be conducted in order to gain a better understanding of the unique challenges this population faces. Along with accounting for this rate, researchers and scholars should also track the academic achievements of formerly incarcerated youth to examine patterns of graduation and college enrollment. Lastly, qualitative research utilizing in-depth interviews and focus groups would supplement research on college enrollment rates for incarcerated youth such that it would expose and illuminate the discrimination that this population endures when trying to be a part of society. We must also explore what services and programs, if any, exist for this particular student population and assess the impact of these services and programs.

Acknowledgment must also be paid towards the discrepancy between the legislation that exists in our educational systems. Thomas acknowledges that there is legislation on school expulsion such as the Gun Free School’s Act, which mandates a one year expulsion for a student who is in possession of a firearm on school grounds, but argues how there aren't any laws in

place for school re-entry. Thomas continues to argue how the absence of such school re-entry policy will continue to provide an avenue for school administrators to create obstacles for formerly incarcerated youth. Similarly, No Child Left Behind required schools to score average on high stakes testing in order to continue receiving federal funding but the clause that emphasizes graduation rates is hardly ever recognized. The particular laws and legislation that are put in place implicitly convey the message that education and the so-called American Dream is only reserved for a few. Despite the progress that has been made, educators, corrections personnel, and legislators must remain critical of work that still needs to be done.

While there is very few research on the experiences of formerly incarcerated youth and college enrollment and completion, there has been progress through acknowledging that formerly incarcerated college students exist. The University of California, Berkeley established the Berkeley Underground Scholars (BUS) to support formerly incarcerated youth throughout their college experience. Through recruitment, retention, and advocacy, the Berkeley Underground Scholars program works toward creating a prison-to-school pipeline. BUS is a grassroots effort that was created by students of UC Berkeley who have been directly impacted by mass incarceration. This initiative and program is also found at The University of California, Los Angeles (UCLA). According to an article in UCLA's Daily Bruin, the Underground Scholars Initiative received a grant in the total of \$500,000 in order to establish a program at every UC campus. While the Underground Scholars Initiative only currently operates at UC Berkeley and UCLA, both schools have demonstrated promise as they each have had a graduating class of USI members.

California State University Los Angeles (CSULA) joins UC Berkeley and UCLA in making educational attainment possible for those impacted by the criminal justice system. The Center for Engagement, Service and the Public Good at CSULA developed the prison graduation initiative to offer an in-person bachelor's degree completion program for incarcerated students. The students in the program work toward a bachelors degree in communication studies and are automatically enrolled as a Cal State LA student if they are released prior to completing their degree. By automatically enrolling individuals, Cal State LA makes the prison-to-school pipeline more likely by reducing the barriers a formerly incarcerated individual may experience if they had to apply to a university. While it is unclear how the prison graduation initiative is funded, the research on the school-to-prison pipeline that has been presented thus far demonstrates the immense benefit of school re-entry for formerly incarcerated individuals. Furthermore, when considering the tax burden that is accumulated by keeping youth out of school, money is being spent on the prison graduation initiative is a grand investment for our society.

Conclusion

While pushing formerly incarcerated youth out may seem as the most reasonable response, educators and policy makers must be aware of the tax burden that is presented when there are high rates of high school drop outs and the even bigger tax burden of incarcerating youth. A 2014 report by the Justice Policy Institute (Sticker Shock: Calculating the Full Price Tag For Youth Incarceration) finds that the lost of educational opportunities to incarcerated youth AND taxpayers are likely to be significant. Along with 630,000\$ loss in lifetime earnings per individual WITHOUT a high school diploma, the report finds that a loss in federal, state and local tax revenue can range from 2.07 million dollars to 3.87 million dollars (). While this loss in

federal, state, and local tax increases the more youth are deprived of educational attainment, confinement costs in California is approximately 570\$ per day per individual or 208,000 per individual per year. Put simply, institutions would rather push students out of education spaces in order to ensure their funding and leave it up to tax payers to pay the price for confinement and loss in tax revenue.

The messages that institutions send are contrary to the idea of social justice and equity. It is clear that educational spaces are not for ALL students. The United States, although the country with the highest incarceration rates, continues to perpetuate the idea of meritocracy and the American Dream. However, the statistics and studies mentioned work to prove how school discipline works to keep certain students out of education.

While my research was unsuccessful in identifying a direct relationship between zero-tolerance policies and a decrease in college enrollment rates for Latino youth, my thesis serves as a foundation to explore this relationship through an in-depth longitudinal research project. The data suggests that there is a relationship among disciplinary practices and educational outcomes, and provokes an extensive research project where students who are suspended are tracked to examine their educational trajectory.

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