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SHELBY MACK

21ST CENTURY EDUCATION:

#MORESCHOOLSNOTPRISONS

Honorable Mention

May 2018

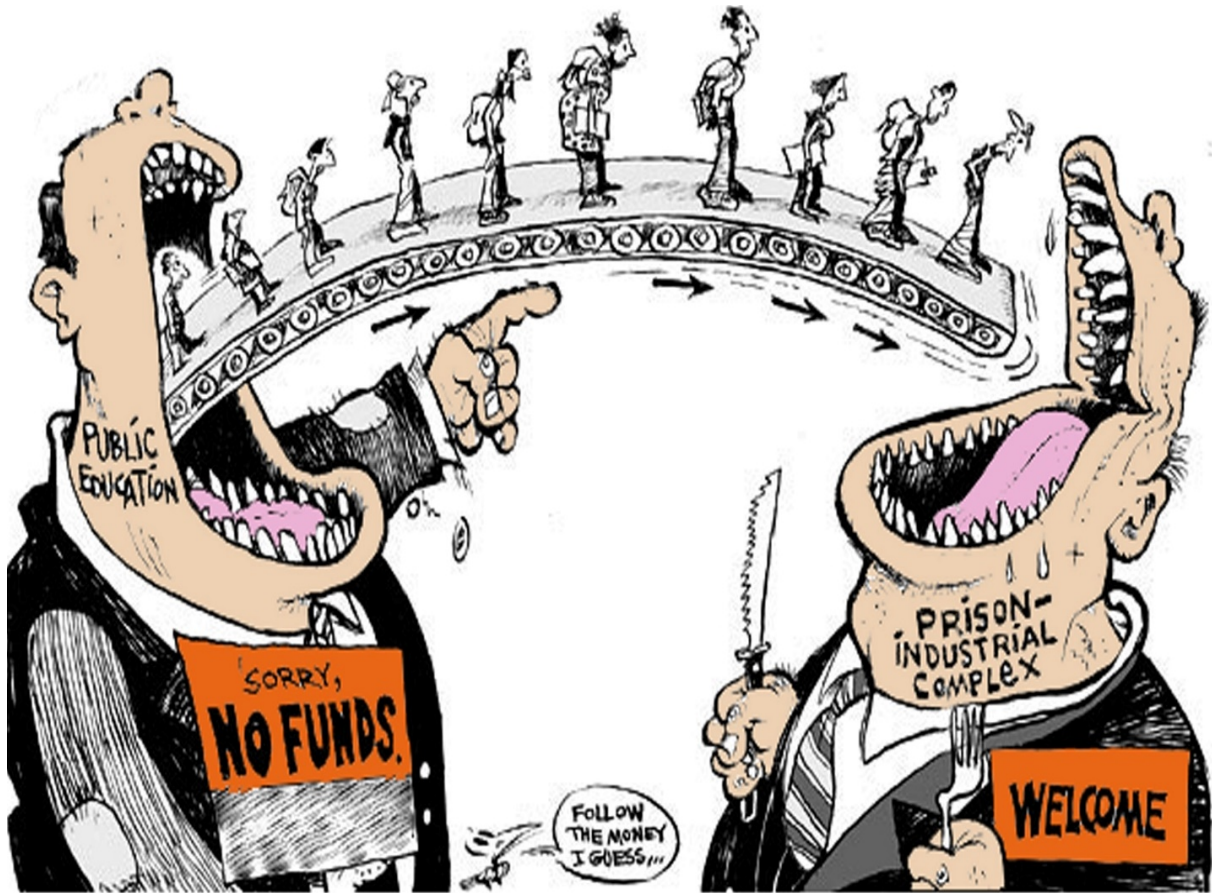
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SHELBY MACK

"21st Century Education: #MoreSchoolsNotPrisons", Education 182AC "The Politics of Educational Inequality", Instructor: Lisa Garcia Bedolla



21st Century Education: #MoreSchoolsNotPrisons

By: Shelby N. Mack

The American Cultures Center, Student Prize Project

UC Berkeley, 2018

Synopsis:

My paper, *21st Century Education: #MoreSchoolsNotPrisons*, supports the goal of the American Cultures curriculum because through 16 weeks of literature review, I have been able to identify key issues within the American public system. Some of these key issues that I have studied is how academic success, treatment and educational access depends on one's race, class and gender. In order for us to discuss how the education system impacts marginalized groups (i.e. Black, Latinx, Native and API), we must first talk about the foundation of the American education system. The American education system was first created for White Anglo-Saxon Protestant men, no other race or gender was allowed to obtain an education.

White Anglo-Saxon Protestant men were the founders of the American education system known as "common schools"; these schools were developed during the 18th century. These founders held the power to determine who would be able to receive an education and who would be denied access. Eligibility was based off of race, class, and gender; these primary components determined what type of education one would receive. Blacks were not given the opportunity to receive an equal education like their White counterparts because they were not viewed as a "human being" but as "property" because of enslavement. Slavery primarily existed within the South, while the Northern states were referred to as the "free states". Northern "free Blacks" were given the opportunity to receive an education but it was far from equal.

The American education system excluded Blacks from becoming educated because of their race and class status, while also excluding White women from receiving the same education as White men. As a result, Black people discovered solutions to these problems through self-advocacy and the development of an autonomous education

system. Through their activism, resistance, self-advocacy and the development of an autonomous education system, American education policies began to reform. However, these reform policies that tried to address the systematic issues among Black people and other marginalized communities failed. Today, we are facing a huge crisis of massive incarceration, where Black and Latino people are caged like animals. And unfortunately, schools prepare Black and Latino students to enter the prison system. Due to zero tolerance policies and having more police than counselors within school perpetuates a war zone, where Black students are the racial target.

The main objective of this paper is to provide, historical context on how “education reform” efforts have done more damage than good. Although they appear to be going in the direction, these policies are more like a band aid. It does not look at the root cause, but rather the surface level issues like educational equality and access. Yes, these issues are important, but they are not the root causes on why Black people especially are failing within schools, hyper-surveilled, criminalized and forcibly kicked out for minor offenses. And as a result, are more likely to become incarcerated later or involved in sex trafficking.

These are the real questions we need to be asking ourselves. Why do we have zero tolerance policies that are centered in dehumanization and punishment. These are the “why’s” we should be asking. My paper incorporates race, culture, ethnicity and the diversity of the American experience because it looks at the systematic issues among marginalized communities and how each of their experiences are affected differently. Since, I wrote this paper I have discovered my passion within academic research and am

currently doing civic engagement with the first Black Female Enrichment Program at West Oakland Middle School, titled “African American Female Excellence Program.

Introduction:

Desegregation, integration, school choice, and school discipline are all a part of the education reform efforts, however, they have done more harm than good. These three reform efforts have exacerbated inequality within the education system among Black and Latino people. The Civil Rights Act of 1883, *Plessy v. Ferguson*, Jim Crow, and *Brown v. Board of Education* have contributed towards educational inequality and policy making within the American education system. The Civil Rights Act of 1883 ruled discrimination in hotels, trains and other public spaces as unconstitutional under federal law, but under state law it was up to their discretion to make discrimination legal or illegal (Wormser, 2002).

This verdict was loosely defined and extremely problematic since states were allowed to determine whether or not they wanted to discriminate against people or businesses. As a result, Black people were discriminated against within all public entities including the education system. They were not able to receive an equal education like their White counterparts. Consequently, Black people were negatively affected by this policy because it further denied them access to educational attainment.

Segregation laws, also known as Jim Crow were enforced in Southern States during the Reconstruction period in 1877 until the 1950s. The *Plessy v. Ferguson* decision was also an important U.S. Supreme Court decision. This case involved a Black male train passenger named Homer Plessy, who refused to sit in a Jim Crow car section, breaking the Louisiana Law. Plessy believed that his constitutional rights were violated

according to the 13th and 14th amendments of the U.S. Constitution. The U.S. Supreme Court case ruled “separate but equal” constitutional. This verdict allowed segregation in schooling, housing public facilities and interstate transportation within northern and southern states. The *Plessy v. Ferguson* verdict was able to legally segregate people based on their race. For example, White schools received government funding, which allowed them to pay for their books, supplies, teachers and faculty. Whereas, Black school facilities were denied government funding. As a result, Black families were left to pay for their own books, supplies and teachers. This was a huge financial burden for Black families, since most of them could not find employment due to their education level.

Desegregation:

Although Black people faced segregation, they still advocated for themselves and fought against the racial injustice of segregated schools. Bedolla (2016) describes the historical context and the legal process of fighting against segregated laws, she writes, “The National Association for the Advancement of Colored People (NAACP) and League of United Latin American Citizens (LULAC) worked to eliminate segregation (and other types of discrimination) through legal means. It began with higher education and moved to the elementary school level. They brought many cases starting in 1930s- eventually led to *Brown*” (Bedolla 2/18/16). As a result, the NAACP and League of United Latin American Citizens (LULAC) was influential in the Supreme Court ruling of *Brown vs. Board of Education* on May 17, 1954.

Bedolla (2016) describes the significance of *Brown v. Board of Education* and the verdict, she writes, “Five Black families filed civil suit cases in the states of Kansas,

South Carolina, Virginia, the District of Columbia, and Delaware. The case involved Black schools that were clearly inferior to White schools, these schools claimed to be “separate but equal”, but they violated the 14th Amendment’s equal protection provision” (2/18/16). These five cases were able to reach national recognition rather than state or local. The Supreme Court Chief Justice Warren filed desegregation and as a result, two unanimous decisions were made. The first unanimous decision was that segregation was inherently unequal. The second unanimous decision was implementation, the court stated that desegregation must occur at a deliberate speed (Bedolla, 2/18/16).

Desegregation was a part of the educational reform movement, but it has done more harm than good. Black children were still not able to access the same educational opportunities as their White counterparts. A decade after the Brown verdict, 98 percent of the Black kids were still attending Black schools. Whereas, no White kids were integrated into Black schools (Tyack et al., 2001). In addition, desegregation was not implemented among faculty and staff. Tyack et al., (2001), provides insight on the consequences of desegregation and the effects that it had on Black teachers, especially within the South. She quotes:

When African American teachers are kicked out of the school system, when African American principals are fired or demoted, in the name of integration, when you lose that kind of representation, from the African American vantage point we are not achieving desegregation. Black children and faculty were at a disadvantage because of the new desegregation policy, this policy did not provide them with access to better educational opportunities.

In addition there was a constant battle between state’s rights and the federal law (i.e. federalism). Similarly to the Civil Rights Act of 1883, most states especially within the South did not enforce integration policies, due to the deliberate speed verdict. Tyack

et al., (2001) describes this issue between state and federal power, she quotes “Desegregation policy expert explains that “the federal government versus the states was the debate, whether or not we were interfering with states’ rights. And the most fervent opponents of the federal government getting into education were those people in the South who were running the apartheid school systems.” In order for this new law to become enforced, President Dwight Eisenhower sent troops to protect nine Black teenagers who were being integrated into Little Rock’s Central High School (Tyack et al., 2001).

Integration:

Sending federal troops to protect the Little Rock nine Black students was the first step towards reinforcing integration on an executive order. After President Eisenhower, Vice President Lyndon B. Johnson also reinforced integration policies on an executive order through the creation of the Civil Rights Act of 1964. Tyack et al. (2001) explains the purpose of the Civil Rights Act of 1964 and the consequences that states faced if they did not desegregate, she quotes, “The Civil Rights Act said, among other things, that states and school districts could lose their federal funding if they refused to desegregate their schools.” Within the next first four years, the Elementary and Secondary Education Act of 1965 would provide \$4 billion to aid disadvantaged students, this new government policy would be an example of equality within the education system (Tyack et al., 2001).

Consequently, the Civil Rights Act of 1964 and the Elementary and Secondary Education Act of 1965 failed to reinforce integration within public schools due to white flight. White flight emerged due to the constant pressures of integration. Tyack et al. explains how integration played a key role in the White flight wave. Tyack et al., (2001)

quotes, “According to Jay Heubert, the Supreme Court’s decision sent a message to parents that they if they could simply leave the urban district and make it across the district lines into the suburbs, they would not be part of any kind of desegregation plan involving the suburbs.” Since White people were moving to the suburbs and leaving urban areas, the U.S. Supreme Court decided to intervene and create a new federal policy that also failed. Tyack et al., (2001) explains this new federal policy, she quotes:

In 1971, the U.S. Supreme Court ruled that busing schoolchildren within city limits was a lawful remedy for segregation. Busing was successfully to create more racially balanced schools in many cities. Most people with children that have been bused say it was a very satisfactory experience.

Busing was used as a way to integrate Black people into suburban White schools. Unfortunately, states like Detroit, Michigan did not benefit from the busing system.

White people began to leave Detroit and moved into suburban areas in order to escape integration with Black students. As a result, White suburban schools were equipped with better facilities, teachers, book supplies and education opportunities, unlike poor Black schools in Detroit.

Eventually the busing policy was dismantled due to an important case, known as *Miliken v. Bradley* in 1974. As a result, school districts were no longer responsible for desegregation within urban schools, this was the beginning of zoning and residential segregation. Zoning is defined as relocating schools into affluent areas in order to intensify segregation (Tyack et al., 2001). Residential segregation is defined as the physical separation of population groups moving into different neighborhoods (Wikipedia, 2011). Residency is tied to race and class status; for example wealthy affluent people live in suburban areas and poor people live in poor areas. The quality of education that a person receives is based off of their residential neighborhood. Public

schools are funded by the value of public property within the residential neighborhood, this concept is known as “property tax”. Using property taxes as a main source of revenue to fund public schools can be problematic because it is hard to allocate money “equally” amongst all residential neighborhoods.

Consequently, residential segregation and zoning negatively affected educational opportunities among poor Black people. Their school choices were poorly funded with unqualified teachers. Additionally Black schools also lacked resources for books and school supplies. In order to combat education inequality within poor urban cities, these cities property tax value must increase in order to receive more school funding. A possible solution to fixing this issue is to provide poor Black families “moving to opportunity vouchers”. Moving to opportunity vouchers would allow poor people to move into suburban areas in order to better access education and employment (Castro, 2016).

School Choice: Charter Schools

Charter schools were invented in 1991 and have been a part of the school choice education reform movement effort. Charter schools are an alternative approach to public schools in order to provide innovative and diverse learning opportunities to improve the education of students. However, Scott (2009) explains that there is not enough concrete evidence to make a claim that charter schools are better than public schools. She quotes:

First, the majority of studies on charter school achievement rely exclusively on statistical measures, and although they often provide needed baseline data, they do little to explain why charter schools post the results they do. The evidence that charter schools is a solution to fixing inequality within the education system is completely false, although it is a step in the right direction it is not the primary solution. Charter schools are often times viewed as a monolithic entity, which is also not

true. There are different types of charter schools across the nation, some perform well and others do not. In addition, charter schools are an example of “re-segregation” because of the high number of minority students within charter schools.

Charter schools are disproportionately enroll Black and Latino students. Some studies show that there are more Black and Latino students enrolled within charter schools than public schools. Although these schools are predominately Black and Latino there is still a racial achievement gap between White charter schools and Black charter schools. Scott (2009) discuss’s the academic performance and achievement gap of Black and White charter schools. She quotes, “White charter school students outperform Black students by roughly 20 points in math and reading and Latino charter students by 15 points...” This is an example of ethnic-segregation. Although charter schools cannot discriminate based on race there is no federal policy on racial inclusion within charter schools.

Opposite from that, there are some positive benefits of charter schools. For example, their allocation of funding and resources is extremely unique from public schools. The way that charter schools are funded is through both public and private entities. Scott (2009) describes the resources of charter schools and their benefits she quotes:

Political and social networks can assist with building community and state support for the school. For example, charter schools that are rich in resources have access to social, political and financial networks that help to sustain their schools. The unique funding of charter schools gives them access to more resources, supplies, teachers, staff and faculty. Although funding is extremely accessible, charter schools within low income areas tend to have less resources, teacher quality and school performance.

The performance of charter schools are heavily related to race and socioeconomic status. The development of charter schools can have both negative and positive effects. Although their intentions are good, the school choice system increases educational inequalities by ignoring racial stratification. This ideology of school choice creates a capitalistic market within the education system where choices are controlled and can only be obtained by certain ethnic groups.

School Discipline:

Poor Black and Latino students are at a constant disadvantage within the education system, this is due to the failure of education reform efforts like desegregation and school choice. As a result, these students fall behind in school and are labeled as disruptive, unmotivated, violent and delinquent. Noguera (2011) explains how minorities are disproportionately targeted and criminalized within school disciplinary actions. He quotes:

Throughout the United States, schools most frequently punish the students who have the greatest academic, social, economic and emotional needs. An examination of which students are most likely to be suspended, expelled, or removed from the classroom for punishment, reveals that minorities (especially Blacks and Latinos), males, and low achievers are vastly overrepresented. Negative stereotypes and perceptions of Black and Latino males from the media fuel this perception that they are criminals and wild animals.

The reason why schools discipline students is to create and maintain social order. Schools have the power to determine what is viewed as deviant and non-deviant. Also they police student's bodies through sets of dress codes, proper forms of speech and mannerisms. Not only is behavior policed, but school officials have the right to punish what they view as "appropriate". This is an example of labeling the student as the "problem" instead of the school (Bedolla, 3/28/16).

Zero-Tolerance Policy: Suspension and Expulsion:

The zero tolerance policy was created as an education reform effort in order to discipline and police student behavior within public schools. Bedolla (2016), provides a definition of the zero tolerance policy, she defines it as:

A set of school disciplinary rules/practices that attach mandatory punishments to particular types of infractions. They are often weapon violations, drug violations, fighting and willful defiance. The often form of punishment is suspension or expulsion. Many of these students who undergo disciplinary actions are a part of disadvantaged backgrounds, some come from poverty, foster care, protective custody and others are homeless or on free reduced-price-lunch (Noguera, 2011). In addition, students who are suspended or expelled most frequently are students of color (Bedolla, 3/26/2016).

Noguera (2011) explains the causes of why certain students may violate school discipline rules he quotes:

Often, it is the needs of students and the inability of schools to meet those needs that causes them to be disciplined. Children who are behind academically and who are unable to perform at a level with grade-level expectations, often engage in disruptive behavior, either out of frustration or embarrassment. As a result, the school is more focused on disciplining the child rather than responding to the students unmet needs or other factors responsible for their disruptive behavior.

Schools are too focused on behavioral management rather than anything else (Noguera, 2011).

Consequently, when a student is suspended for a few days, the student is in great jeopardy of falling behind in class. Therefore, their academics are negatively impacted and they may not have time to ever catch up within their classes. This type of punishment is “illogical” because the school is denying them access to learning, which creates an academic achievement gap and inequality. Noguera (2011) explains how suspension is ineffective for students who do not care about school, he states: “The strongest indication

that such practices are ineffective at changing behavior is the fact that students who get into trouble and are suspended most frequently rarely change their behavior for the better because they are periodically not allowed to attend school for a few days.” Unfortunately, students who are suspended internalize their disciplinary school record and still do not improve at the rate they should.

A solution to this problem is to have “in school suspension” rather than outside school suspension. In school suspension would allow the student to be supervised within school and they would be able to attend their classes (depending on the circumstances). In addition, they would seek social services like counseling in order to de-stress and figure out a plausible solution/disciplinary action for the student. The main reason why school disciplinary policies are put into place are to separate the “bad apples” from the “good apples”. This analogy is false, because the school is not dealing with the internal issues of that student. Instead they criminalize and punish them, further excluding them from educational opportunities and academic achievement.

School to Prison Pipeline:

As a result of education reform efforts like desegregation, school choice and the zero tolerance policy, the school to prison pipeline developed. ACLU (2016) defines the school to prison pipeline as “The policies and practices that push our nation’s school children, especially our most at-risk-children, out of classrooms and into the juvenile and criminal justice system. This pipeline reflects the prioritization of incarceration over education (i.e. failing public schools, zero-tolerance/other school disciplines and policing school hallways).” School policing has disproportionately increased within poor urban school districts, which become the gateway for an increased reliance on police rather than

school officials (ACLU, 2016). The most frequently targeted students are Black and Latino, the same students who have been negatively affected by desegregation, school choice and the zero tolerance policy. Once these students are in the juvenile detention facilities they still face education inequality and lack education resources.

Policy Recommendation:

A policy recommendation for desegregation, school choice and the zero tolerance policy is for the federal government to initiate “The Oakland Promise: Cradle to Career” program within historically poor, marginalized school districts across the United States. The Oakland Promise initiative is to create a foundational community that strives to ensure that every child in Oakland graduates high school with the necessary resources and skills to graduate college and become successful leaders within their community.

The program has 3 stages, which target specific age groups. For example, ages 0-5 is a part of the Brilliant Baby initiative, this particular program focuses on early childhood development, cognitive thinking and sets high expectations for them to go to college at an early age. Next is the K-12 program, which provides kindergarten/ 3rd grade readiness, 8th grade algebra and high school graduation. After students graduate high school they are a part of the College/Career Program known as the Future Center, College Scholarship/Completion initiative, which provides them with college enrollment assistance, college graduation and career success (Oakland Promise, 2016). Their vision is to provide each student with “equal” educational opportunities and academic achievement.

Poor Black and Latino students are at a greater disadvantage, due to their environment, class status and race. Implementing a program like Oakland Promise would

greatly reduce education inequality, the academic achievement gap and harsh school disciplinary actions. The Oakland Promise was designed to create an environment that sets high expectations for every child within their community to graduate high school and go to college. These high expectations would instill self-confidence and create a cultural value for higher education.

I believe that this program is solution based because it provides resources and educational opportunities towards a historically underfunded and marginalized school district. Historically, Oakland has suffered from desegregation, school choice and the zero tolerance policy, in addition to dealing with environmental issues (i.e. drugs, gangs, violence and crime). Urban Black cities like Oakland desperately need extra assistance, resources and funding. This program is an example of self-autonomy and agency, because the government is not funding this program initiative. Community members and leaders took matters into their own hands to reform the Oakland School District. I strongly believe in self-autonomy and agency; these two mechanisms form a political movement that is stronger than any education policy.

Conclusion:

The school to prison pipeline has a direct correlation with three education reform efforts known as desegregation, school choice and the zero tolerance policy. These three reform efforts have done more harm than good. They have caused an exuberate amount of education inequality within the education system. For example, the *Brown v. Board of Education* verdict was a federal policy, but states still did not enforce desegregation and integration within their school facilities. School choice, specifically charter schools have not improved the overall student performance among African American and Latino

students. Although school choice has been widely supported as a solution to educational inequality, this is rarely the case. White charter schools still receive more educational resources, support and perform better on state wide testing as a oppose to Black charter schools.

School discipline has caused children to fall behind in school because they are expelled or suspended from school. The schools tend to focus on disciplining the child, rather than analyzing several factors that contribute to them misbehaving. Black and Latino students fall victim to these disciplinary actions and are filtered into the juvenile and the criminal justice system. As a result, this further distances them from educational opportunities. The school to prison pipeline is an epidemic within poor communities of color. However, instilling the Oakland Promise program would offer students a support system, make education a cultural value and give Black and Latino students an opportunity to receive an equal education.

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