

Chapter 1

Education, Race, and Social Control

Milwaukee, Wisconsin, July 2010. *“Ava Hernandez ... is upset her 15-year-old brother, Adam, will face a trial on theft charges for allegedly stealing a chicken nugget meal during lunch at the Shorewood High School cafeteria.”*¹

Her brother, Adam Hernandez, a Shorewood High freshman, faces theft charges over what he says is a misunderstanding over \$2.60 in chicken nuggets. Adam was given the chicken nuggets at lunch from a friend who was in the free school lunch program. A cafeteria worker accused Adam of stealing the nuggets and the result was an intense police encounter in the lunch room.

Police were called to the school; Adam was arrested, taken out in handcuffs, and interrogated at the police station.

*Despite repeated attempts on the part of Ava Hernandez and her brother's attorneys to get the city and the school to drop the charges, Adam's trial on misdemeanor theft charges was scheduled to proceed up until the very day before trial. If found guilty, Adam would have faced a fine and a misdemeanor charge on his record.*²

Police dropped the charges the day before trial, but Ava Hernandez remains concerned about the time, energy, and trauma inflicted upon her brother in a matter that might have resolved informally in the school. As a woman of color, she is aware of the challenges her brother already faces in the community and school, and a “pipeline that sends young males, particularly minorities like her brother, to prison on a regular basis.”

*‘It’s like they think he’s expendable. I don’t like the idea of someone his age already in the criminal system; that happens too often.’*³

Introduction

Free and compulsory public education has a long and uneven history in the United States. In theory, education for all is interwoven with our

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national promise of opportunity, equal access, and full democratic engagement. Educational institutions provide the avenue for upward mobility, prepare a skilled and ready workforce, and in their finest moments, “unite us, enlighten us, and provide a culture commons where our differences become a source of strength and not conflict.”⁴ Education, in this sense, is not just a source of personal advancement or potential enrichment, but a public good that uplifts the civic discourse and political engagement and is, as Jefferson noted, “the cornerstone of democracy.”⁵

In practice, educational institutions also serve a social control function; they indoctrinate, regulate, seek to assimilate, and replicate an already unequal social order. Educational settings can insure that those with privilege and advantage will retain it via access to elite institutions and the economic and political status that flows from them. Conversely, educational institutions can solidify second-class citizenship through limited resources, nonrepresentative curricula, the stifling of aspirations, and the imposition of labels that further constrict opportunity.⁶

This social control function has a particular primacy in our current condition of neoliberal postindustrial capitalism, where schools are increasingly subject to privatized profit-seeking influences that promote standardized testing and public school closures in favor of largely unaccountable charters. This is consistent too with the demands of a labor market dominated by minimum-wage service jobs and vast employment sectors for correctional and medical control. Students are socialized to become drone-like workers and consumers or, failing that, fodder for our vast correctional industry, whose long reach has now extended into the schools. As Henry Giroux observes:

No democracy can survive without a formative culture that offers the public the opportunity to broaden their knowledge, skills, and values in ways that enhance and expand their capacities to think critically, imagine otherwise, create the conditions for shared responsibilities, and hold power accountable. A vibrant formative culture expands the critical educative nature of all cultural apparatuses—from schools to the old and new media—as part of a wider project of enabling people to be able to assume the role of critical agents, thinking subjects, and critically engaged citizens willing to learn how to govern rather than merely govern and to be able to care for the other. Education becomes central to any viable notion of politics because it provides the tools to enable people, as C. Wright Mills reminded us, to translate private troubles into public concerns. Neoliberalism has created the conditions in which civic literacy and moral responsibility disappear. This Jeffersonian ideal

of education providing the conditions to produce an informed citizenry is now under siege at every level of society in which knowledge is produced and circulated. Moral indifference now replaces social responsibility just as civic literacy is now replaced by the idiocy of celebrity culture, the anti-intellectualism embraced by a commodity-based culture, and the current utterly instrumental and repressive view of education.⁷

Certainly, education as a constrainer rather than a liberator has provided the paradigm for public education with regard to race and ethnicity. The very foundation of universal public education in the United States is entangled with a desire to “Americanize” children of immigrants, and from the outset, educational settings have been marked by segregation in terms of both race and class.⁸ For much of our history this segregation was legal, upheld at the level of the Supreme Court of the United States and viewed as part of the larger landscape of everyday Jim Crow. The expectation that schools—as all civic life—would be racially divided remained as law and practice until 1954, when the Supreme Court finally, in *Brown v. the Board of Education, Topeka Kansas*, declared “separate and equal is inherently unequal” and in violation of the Fourteenth Amendment of the U.S. Constitution.⁹

Sixty years since *Brown*, the promise of equal educational opportunity remains elusive. The legal reality and ideological underpinning of overt de jure segregation has given way to the paradigm of color-blind racism, which denies the consideration of race while masking persistent de facto racial inequality. This color-blind framework pervades all aspects of contemporary post-Civil Rights U.S. racial relations in law, politics, and institutional access, including education.¹⁰ The call in *Brown* for desegregation with “all deliberate speed” has been stymied at every turn, and now has been abandoned by the “race-neutral” language of the post-Civil Rights era, which has essentially forbidden any consideration of race to balance school enrollments.¹¹ In this era of color-blind racism, separate and unequal education continues, characterized now by de facto hyper-segregation by both race and class, and by gulfs in both funding and quality. The separate but inherently unequal conditions that marked the *Plessy* era of legalized segregation has remained intact albeit under color-blind legal cover.¹²

Further shifts in educational policy in the past decades have exacerbated the inequities. Decreased funding, high-stakes testing with sanctions for “underperforming” schools, overcrowded classrooms, massive school closures, a neoliberal push toward privatization and “charterization,” and the proliferation of harsh labels have widened the racial gaps in both

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opportunity and achievement.¹³ Students of color, then, rather than being uplifted by education, are increasingly deemed disposable. According to Giroux:

[L]ow-income and poor minority youth, in particular, are no longer the register where society reveals its dreams for a just and equitable future. On the contrary, such youth increasingly symbolize a space where neoliberal society reveals its nightmares and invokes a culture of cruelty that appears more savage than its full embrace of the ethos of greed. Within neoliberal narratives, youth are either defined as a consumer market, advertisements for such a market, or they symbolize trouble—a generation who do not have problems but are the problem.

The mall and the prison have become the preeminent institutions and spaces for symbolizing what the future holds for young people as they experience either the soft war of commodification or the hard war of hyper-punitiveness and possible incarceration. This shift in how American society talks about young people marginalized by race, class and ethnicity betrays a great deal about what is increasingly new about the economic, social, cultural and political landscape of American society and its growing disinvestment in the common good, democratic public spheres, the social state, and democracy itself.

Long-term planning and the institutional structures that support it are now relegated to the imperatives of privatization, deregulation, flexibility and short-term investments. Social bonds have been shredded as a result of the ongoing elimination of social protections provided by the welfare state, just as the current neoliberal mantra places an emphasis on individual solutions to socially produced problems[.] . . . The logic of disposability now threatens anyone who cannot fulfill their role as a consumer, provide unquestioned support to established corporate and political bastions of power, willingly accept the capitalist drive for profits regardless of the social costs, and accommodate a notion of the public sphere that is largely white, male and deeply conservative.¹⁴

Perhaps, the most troubling development is the trend toward criminalization of these same students in under-resourced schools and the blurring of the distinction between these schools and jail. This is the essence of the school-to-prison pipeline: an erasure of the boundaries between schooling and legal systems and, in fact, the creation of an intersecting set of policies that sends students in some schools on a pathway toward prison. For these students, rather than creating an atmosphere of learning, engagement, and opportunity, current educational practices have put them at risk.

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The School-to-Prison Pipeline: Definition and Context

Schools have long been characterized by both formal and informal tracks that route students into various areas of the curriculum and, ultimately, the job market. But tracking students out of school and into jail is a new phenomenon, one that coincides with the rise of mass hyper-incarceration in the United States. The school-to-prison pipeline refers to this growing pattern of tracking students out of educational institutions directly and/or indirectly into the juvenile and adult criminal justice systems via suspension/expulsion and increasingly arrest for minor infractions. Sometimes this push toward prison and jail is indirect; students who are suspended and/or expelled are less likely to return to school, are sent to under-resourced alternative schools, and are, in effective, "pushed out" of the educational system. Increasingly, the pipeline operates in a more direct fashion, as misconduct has become criminalized and as a growing police presence in the schools allows for direct arrests and ticketing, often for minor misconduct that once would have been handled by teachers and school administrators.¹⁵

For nearly two decades, scholars, educators, and activists have identified and decried the emergence of this school-to-prison pipeline. Most immediately, the pipeline is a consequence of the "criminalization of school discipline"¹⁶ via zero-tolerance policies. It is characterized by schools that rely on suspensions, expulsions, and arrests for minor infractions, and which have police and/or security officers (School Resource Officer, or SRO) present for enforcement. While these policies were motivated, in part, by the perceived need to increase "safety" and "security," zero-tolerance policies and police in schools have instead increased the risks of criminalization for segments of the student body, particularly students of color. This pattern of "push-out" has become so pronounced that scholars, child advocates, and community activists now refer to it as "the school-to-prison pipeline," the "schoolhouse to jailhouse track," or as younger and younger students are targeted, "the cradle to prison track."¹⁷

Zero Tolerance and Police in the Hallways

While there is no official definition of the term "zero tolerance," generally the term means that a harsh predefined mandatory consequence is applied to a violation of school rules without regard to the seriousness of the behavior, mitigating circumstances, or the situational context. Violators are suspended, expelled, and increasingly arrested and charged in juvenile

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court as a result.¹⁸ Zero-tolerance rhetoric, which was borrowed from the War on Drugs, became widespread by the mid-1990s, despite school crime/violence rates that were stable or declining. Implementation was achieved by appeals to fears and calls for safety, and further enforced by the connection of related policies to both federal and state school funding.

The Gun-Free Schools Act of 1994 (GFSA) provided the initial impetus for zero-tolerance policies. The GFSA mandates that all schools that receive federal funding must (1) have policies to expel for a calendar year any student who brings a firearm to school or to school zone and (2) report that student to local law enforcement, thereby blurring any distinction between disciplinary infractions at school and breaking the law. Subsequent amendments to the GFSA and changes in many state laws and local school district regulations broadened the GFSA focus on firearms to apply to many other kinds of weapons.¹⁹

While the original intent of the GFSA was to require these punishments for serious violations involving weapons, most schools nationally have adopted zero-tolerance policies for a variety of behavioral issues—weapons, alcohol/drugs, threatening behavior, fighting on school premises, and increasingly, minor “misconduct” such as tardiness, “defiance,” and disorderly conduct.²⁰ Zero-tolerance policies often do not distinguish between serious and nonserious offenses, nor do they adequately separate intentional troublemakers from those with behavioral disorders. And as the name implies, these policies indicate zero tolerance for any infractions, casting a very wide net.

Zero-tolerance policies are additionally associated with an increased police presence at school, metal detectors, security cameras, locker and person searches, and all the accoutrements of legal control. The Safe Schools Act of 1994 and a 1998 amendment to the Omnibus Crime Control and Safe Streets Act of 1968 promoted partnerships between schools and law enforcement, including the provision of funding for in-school police forces or SROs.²¹ In 1999, the U.S. Department of Justice “COPS in Schools” grant program dramatically increased the use of SROs, in part as a response to the highly publicized Columbine shootings.²²

The presence of uniformed police officers in schools is now a routine feature of many schools. An estimated one-third of all sheriffs’ offices and almost half of all municipal police departments assign nearly 17,000 sworn officers to serve in schools, and nearly half of all public schools have assigned police officers.²³ It is less common, but also possible now for some schools to employ canine units, Tasers, chemical weapons, and

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SWAT team raids for drug and weapons searches.²⁴ Although enhanced security measures were largely inspired by the school shootings in predominately white suburban schools, they have been most readily adopted and enforced in majority poor, majority student of color urban schools, where nearly 70 percent report a police presence.²⁵ The result, according to Giroux, is criminalized education:

With the growing presence of police, surveillance technologies and security guards in schools, more and more of what kids do, how they act, how they dress and what they say are defined as a criminal offense, regardless of how trivial the offense may be—in some cases just doodling on a desk or violating a dress code. Such behaviors, which teachers and administrators use to regulate through everyday means, are now treated as infractions within the purview of the police. Consequently, suspensions, expulsions, arrests and jail time have become routine for poor youth of color. Even more shocking is the rise of zero-tolerance policies to punish Black students and students with disabilities. Instead of recognizing the need to provide services for students with special needs, there is a dangerous trend on the part of school systems to adopt policies “that end in seclusion, restraint, expulsion, and—too often—law enforcement intervention for the disabled children involved.” Sadly, this is but a small sampling of the ways in which children are being punished instead of educated in US schools, especially inner-city schools. Rather than treating school infractions as part of the professional responsibilities of teachers and administrators, schools are criminalizing such behaviors and calling the police. What might have become a teachable moment becomes a criminal offense.²⁶

Zero tolerance and school policing were promoted as policies that would increase the safety and security of students and enhance the orderly delivery of education. In reality, the opposite has occurred. There is little research that documents any correlation between these policies and reduced school violence. In fact, rates of school violence had remained low and stable at the time these policies were enacted. A growing body of work, however, documents the myriad risks created for students, including increased rates of suspension/expulsion and drop-puts/push-outs, hostile climate, and racial disparities in the application of discipline.²⁷ It is these very policies that have facilitated the flow of students out of schools and into legal systems, in fact, creating the school-to-prison pipeline.

Under zero-tolerance policies, over 3.4 million students are suspended each year and over 130,000 expelled, this out of the 49 million children

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enrolled in public schools.²⁸ This number has nearly doubled since 1974, with rates escalating in the mid-1990s as zero-tolerance policies began to be widely adopted.²⁹ Suspension and expulsion rates increased most dramatically immediately following the adoption of the No Child Left Behind (NCLB) legislation in 2001 and related forms of high-stakes testing. Critics have noted that zero-tolerance policies have been used to “push out” low-performing students. Since school funding is directly tied to test scores, NCLB gives schools an incentive to get rid of rather than remediate students with low test scores; it is more “efficient” to simply remove the child from class through punitive disciplinary measures and focus on the remaining students.³⁰

Students who are suspended and/or expelled are deprived of educational services or are at best referred to substandard alternative schools. Many states fail to offer any access at all to alternative schools. In fact, only 13 states mandate alternative education for expelled students, and those that do often rely on educational settings that are less resourced than the schools that students were expelled from in the first place.³¹ Students are left to fend for themselves, and if they are reinstated, they are now further behind their peers and more likely to be suspended again. In fact, rather than deterring disruptive behavior, the most likely consequence of suspension is additional suspension.³²

Increased drop-out rates are directly related to the repeated use of suspension and expulsion. Students who have been suspended or expelled are more likely to experience poor academic performance, and eventually drop out.³³ Additional suspensions increase this likelihood; the National Center for Education Statistics documents this: 31 percent of high school sophomores that dropped out of school had been suspended three or more times, a rate much higher than for those who had not been suspended at all.³⁴

Both suspension/expulsion and drop-out/push-out rates are highly correlated with future involvement in the juvenile and adult legal systems, creating an indirect pathway out of school and into jail.³⁵ It is, however, the growing police presence at schools that contributes to the direct flow of youth into the juvenile justice system. Police in schools means more arrests, not necessarily for serious criminal violations, and within the context of the schools, it often means less consideration of legal rights and due process.³⁶ A variety of studies have shown that a police presence significantly increases both arrests and the criminalization of minor misconduct;

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one three-year study of numerous schools in the same district, for example, found that the schools with police had nearly five times the number of arrests for disorderly conduct as schools without a police presence.³⁷ The Advancement Project sums up the perils:³⁸

Zero tolerance has engendered a number of problems: denial of education through increased suspension and expulsion rates, referrals to inadequate alternative schools, lower test scores, higher dropout rates, and racial profiling of students. . . . Once many of these youths are in "the system," they never get back on the academic track. Sometimes, schools refuse to readmit them; and even if these students do return to school, they are often labeled and targeted for close monitoring by school staff and police. Consequently, many become demoralized, drop out, and fall deeper and deeper into the juvenile or criminal justice systems. Those who do not drop out may find that their discipline and juvenile or criminal records haunt them when they apply to college or for a scholarship or government grant, or try to enlist in the military or find employment. In some places, a criminal record may prevent them or their families from residing in publicly subsidized housing. In this era of zero tolerance, the consequences of child or adolescent behaviors may long outlive students' teenage years.

The immediate impetus for the pipeline is "zero tolerance" policies, which, when accompanied by a growing police presence in schools, result in the indirect/direct funneling of millions of youth out of school and on a pathway toward prison. But it is also the result of larger social and political trends. The school-to-prison pipeline is consistent with an increasingly harsh legal system for both juveniles and adults, and the rise of the prison industrial complex, where punishment translates into profit. These policies exactly mirror the "get tough" practices associated with the War on Drugs, "broken windows" policing, and the corresponding rise in mass incarceration, a trend that has resulted by a more than 10-fold increase in incarceration in a period of 40 years.³⁹ It is consistent too with the emergence of an extensive treatment industrial complex, a multi-billion-dollar enterprise that provides therapeutic alternatives to harsh punishment in the age of mass incarceration.⁴⁰ The treatment industrial complex has reached in to the schools as well, and metes out its own labels for school performance and behavior, some of which exacerbate entrance into the school-to-prison pipeline while others offer a mitigating alternative.

Criminalization, Medicalization, and Race in Educational Settings

The policies that undergird the creation of a school-to-prison pipeline are, like all color-blind policies of the post-Civil Rights era, race neutral. Like the War on Drug rhetoric on which they are modeled, school policies outline guidelines and consequences for prescribed and prohibited behavior and conditions with attendant consequences and with no mention of race. A growing body of research, however, indicates that the application of these educational policies is neither neutral nor random. The pipeline disproportionately impacts the poor, students with disabilities, and youth of color. Students of color, especially African Americans, are suspended and expelled at more than three times the rate of their white peers, this despite no documented differences in rates of disciplinary infractions.⁴¹ This racial overrepresentation then manifests itself in both higher drop-out/push-out rates for students of color and the racialized dynamic of the legal system.⁴²

It was, in fact, alarm over racial disproportionality in the application of discipline that raised the first flags for researchers and advocates. From the outset, it was clear that students of color were being policed and punished at rates that far exceeded that of their white peers. This pattern is evidenced as early as preschool, has persisted over the decades, and even recently widened, especially in conjunction with the rise of high-stakes testing.⁴³

A recent comprehensive analysis of the U.S. Department of Education's Civil Rights Data Collection (CRDC) documents the racial gulfs in suspension, expulsion, and arrest. The report includes data from every public school in the nation (approximately 16,500 school districts, 97,000 schools, and 49 million students) in all school types—traditional public schools (preschool through 12th grade), alternative schools, career and technical education schools, and charter schools.

- **Suspension of preschool children, by race/ethnicity and gender** (new for 2011–2012 collection): Black children represent 18% of preschool enrollment, but 48% of preschool children receiving more than one out-of-school suspension; in comparison, white students represent 43% of preschool enrollment but 26% of preschool children receiving more than one out of school suspension. Boys represent 79% of preschool children suspended once and 82% of preschool children suspended multiple times, although boys represent 54% of preschool enrollment.
- **Disproportionately high suspension/expulsion rates for students of color:** Black students are suspended and expelled at a rate three times greater than

white students. On average, 16% of Black students are also disproportionately expelled from the student population.

- **Disproportionate suspension rates:** More than two out of three students (12%) than girls of African American and Native American descent, white boys (6%) or girls.
- **Suspension of students with disabilities:** Students with disabilities are more likely to be suspended (13%) than English learners do not have high rates (7% enrollment).
- **Suspension rates, by race/ethnicity:** With the exception of Latino students, four boys of color with disabilities and girls of color with disabilities.
- **Arrests and referrals to law enforcement:** While Black students represent 27% of students referred to a school-related arrest, 41% of students arrested. Students with disabilities arrested and referred only 12% of the overall students.
- **Restraint and seclusion:** Students with disabilities (served by IDEA) 58% of those placed in seclusion or restraint, those physically restrained, and the ability to move freely. Black students served by IDEA, but not through the use of a medical device, their freedom of movement.

While race is the most significant factor in suspension and expulsion rates, ability and ability. Heavy reliance on suspension and expulsion is related with schools that are where the majority of students

Educational Settings

school-to-prison pipeline are, in general, race neutral. Like many other school policies outlawing prohibited behavior, they contain no mention of race. The pipeline disallows that the application of these policies is based on race. The pipeline disproportionately affects students with disabilities, and youth of color. Students, are suspended and expelled at higher rates than their white peers, this despite the fact that they are not more likely to commit infractions.⁴¹ This racial disparity in the application of these policies is evident in the higher drop-out/push-out rates of students of color.⁴² This pattern is evident in the application of these policies and advocates. From the early 1980s, students of color have been policed and punished at higher rates than their white peers. This pattern is evident in the decades, and even more so with the rise of high-stakes

testing. The Department of Education's data from every public school district, 97,000 schools—traditional public schools, charter schools, career and technical schools, and

by ethnicity and gender (new data from 2011) show that 18% of preschool enrollment are Black, more than one out-of-school suspension for every 10 Black children represent 43% of preschool suspensions, more than one out of 10 Black children suspended multiple times, although

for students of color: Black students are three times greater than

white students. On average, 5% of white students are suspended, compared to 16% of Black students. American Indian and Native-Alaskan students are also disproportionately suspended and expelled, representing less than 1% of the student population but 2% of out-of-school suspensions and 3% of expulsions.

- **Disproportionate suspensions of girls of color:** While boys receive more than two out of three suspensions, Black girls are suspended at higher rates (12%) than girls of any other race or ethnicity and most boys; American Indian and Native-Alaskan girls (7%) are suspended at higher rates than white boys (6%) or girls (2%).
- **Suspension of students with disabilities and English learners:** Students with disabilities are more than twice as likely to receive an out-of-school suspension (13%) than students without disabilities (6%). In contrast, English learners do not receive out-of-school suspensions at disproportionately high rates (7% suspension rate, compared to 10% of student enrollment).
- **Suspension rates, by race, sex, and disability status combined:** With the exception of Latino and Asian-American students, more than one out of four boys of color with disabilities (served by IDEA)—and nearly one in five girls of color with disabilities—receives an out-of-school suspension.
- **Arrests and referrals to law enforcement, by race and disability status:** While Black students represent 16% of student enrollment, they represent 27% of students referred to law enforcement and 31% of students subjected to a school-related arrest. In comparison, white students represent 51% of enrollment, 41% of students referred to law enforcement, and 39% of those arrested. Students with disabilities (served by IDEA) represent a quarter of students arrested and referred to law enforcement, even though they are only 12% of the overall student population.
- **Restraint and seclusion, by disability status and race:** Students with disabilities (served by IDEA) represent 12% of the student population, but 58% of those placed in seclusion or involuntary confinement, and 75% of those physically restrained at school to immobilize them or reduce their ability to move freely. Black students represent 19% of students with disabilities served by IDEA, but 36% of these students who are restrained at school through the use of a mechanical device or equipment designed to restrict their freedom of movement.⁴⁴

While race is the most significant factor, disparities in suspension/expulsion escalate at the intersections of class, gender, sexual orientation, and ability. Heavy reliance on policing and punishment is most highly correlated with schools that are segregated by race and class, that is, schools where the majority of students are both poor and of color.⁴⁵ It is students

in these schools that are most likely to be criminalized via disparate application of zero-tolerance policies and the often heavy hand of school policing. Further, it is Black children of all genders, especially those with a disability label, that experience the highest risk for harsh discipline and arrest at school.⁴⁶

But differences in the nature and type of psychiatric labeling also play a role in diverting white students from disciplinary action and increasing the risk for students of color. As the aforementioned report indicates, the students at the highest risk for suspension and expulsion are Black students who have been labeled as having disabilities. "Disability" in an educational context is often a psychiatric label, one derived from various diagnostic categories in the *Diagnostic and Statistical Manual of Mental Disorders* (DSM-5), that carries stigma as well as a lowered expectation for academic success.⁴⁷ Black youth, especially males, are additionally at risk due to their overrepresentation in special education programs for disability.⁴⁸ They are nearly twice as likely as any other group to receive services under the Individuals with Disabilities Education Act (IDEA). They are often mislabeled as mentally retarded; they are nearly three times more likely to receive special education services under IDEA for mental retardation, and more than two times more likely to receive services for emotional disturbance than same-age students of all other racial/ethnic groups combined.⁴⁹

The implicit biases of teachers and other school personnel may play a role in the application of harsh medical and criminal labels. Eighty-three percent of the nation's teaching ranks are filled by whites, mostly women, and implicit biases, partly formed by exposure to unrelenting media depictions such as Blackness as synonymous with criminality, can shape labeling decisions.⁵⁰ This is supported by recent research that suggests creative play is viewed negatively when exhibited by Black children and that young white females in particular view Black male children as young as 10 as "criminals" rather than "innocent" children.⁵¹ In fact, the highest rates of racially disproportionate discipline are found in states that have low minority populations, indicating that boys of color are potentially threatening to white teachers, even in small numbers.⁵²

While students of color are being criminalized for disruptive behaviors at school, white middle class students have their behavior mitigated with therapeutic labels. One of the growth sectors of psychiatry is the diagnosis and treatment of what were previously termed disorders of infancy, childhood and adolescence (DICA), particularly attention-deficit hyperactivity disorder (ADHD), and oppositional defiant disorder.⁵³ These psychiatric

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labels perfectly overlap with potential educational and legal labels, and thus offer an alternative mechanism for parents, school officials, and law enforcement to deal with disciplinary infractions. ADHD in particular has become the diagnosis of choice for addressing the issues of white children who are disruptive at school.

ADHD becomes a vehicle for the medicalization of disruptive white students, as well as a perceived panacea in the climate of high-stakes testing. While there is growing concern about overdiagnosis of ADHD, overmedication, and a growing black market for ADHD medications, this medical label is arguably preferable to suspension/expulsion for comparable disruptive behaviors.⁵⁴ This diagnosis serves as a barrier to the de facto criminalization experienced by students of color at school, who are suspended, expelled, and/or arrested at school at rates more than three times that of their white classmates.⁵⁵

These double standards of control are consistent with the larger context of for-profit medicalization and criminalization in the post-Civil Rights era of color blindness. Disproportionately, whites are medicalized, while Blacks and other people of color are criminalized, all under the guise of legal, social, and educational policies that, on the face of it, are race neutral. So while white deviance is medicated in the hopes that this will further academic success, students of color are funneled out of schools via a very deliberate pipeline, and sent, instead, on a pathway toward prison.

The School-to-Prison Pipeline: Educational Tracking in a Color-Blind Era

It is difficult to imagine that the school-to-prison pipeline can exist but by design. The scope, scale, and persistence of this phenomenon, with its economic functions and racialized impact, point toward an intentionality that is difficult to deny. What has been termed a "hidden curriculum" for Black students, especially boys, has been transparent more than a decade and remains unchanged.⁵⁶ It is only the race-neutral language of educational policies that provides a thin cover for racialized results.

In the post-Civil Rights era of color blindness, unequal educational opportunities persist via seemingly race-neutral policies of zero tolerance and medicalized labeling, which criminalize students of color and steer their white counterparts toward treatment. This is a pattern that reflects larger sociopolitical creation of a prison industrial complex and the corresponding ascendance of the treatment industrial complex. Our postindustrial service

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sector economy relies heavily on these social control complexes to create jobs and produce clients. As Davis observes:

To deliver up bodies destined for profitable punishment, the political economy of prisons relies on racialized assumptions of criminality—such as images of black welfare mothers reproducing criminal children—and on racist practices in arrest, conviction, and sentencing patterns. Colored bodies constitute the main human raw material in this vast experiment to disappear the major social problems of our time. Once the aura of magic is stripped away from the imprisonment solution, what is revealed is racism, class bias, and the parasitic seduction of capitalist profit. The prison industrial system materially and morally impoverishes its inhabitants and devours the social wealth needed to address the very problems that have led to spiraling numbers of prisoners.⁵⁷

To the extent that educational institutions serve to socialize students into future careers, the question must be asked: are certain demographics of students being selected and trained for careers as prisoners?

The school-to-prison pipeline starts with the school and a host of educational policies and practices that systematically disadvantage students of color from the outset. As the NAACP notes:

In the last decade, the punitive and overzealous tools and approaches of the modern criminal justice system have seeped into our schools, serving to remove children from mainstream educational environments and funnel them onto a one-way path toward prison. These various policies, collectively referred to as the School-to-Prison Pipeline, push children out of school and hasten their entry into the juvenile, and eventually the criminal, justice system, where prison is the end of the road. Historical inequities, such as segregated education, concentrated poverty, and racial disparities in law enforcement, all feed the pipeline. The School-to-Prison Pipeline is one of the most urgent challenges in education today.⁵⁸

But the school-to-prison pipeline does indeed end with the prison, and exists in a swirl of larger social policy that promotes racialized mass incarceration in race-neutral terms, for purposes of both social control and profit. Dismantling this pipeline requires a close examination of this complicated context of double-edged social control in the post-Civil Rights era of color blindness, from which it emerges and is sustained.

Se Socio Edu

Arlington, Texas, and its students spend the nation. It is this W. Bush brought to Child left Behind.¹

Until recently, state and spent 90 hours claimed the testing is proposition for testing in contracts to produce

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Arlington High School. This was the moment otherwise blank STARR

"I have the TEKS test

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But Kyron remained test expressed the sentiment suspension was well ch