



Pushing Back Against School Pushout: Student Homelessness and Opportunities for Change

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September 2018

A strong relationship exists between homelessness and academic achievement in America. More than one third of the nation's unaccompanied youth reside in California.¹ In fact, during the 2016-2017 school year, about 202,500 K-12 students experienced homelessness in California.² Nationally, youth who do not complete high school or receive a GED are 4.5 times more likely to experience homelessness than their peers.³ Furthermore, students who lack stable housing are less likely to complete high school or receive a GED due to the variety of barriers to academic achievement they face as a result of their homelessness.⁴ One such barrier to high school graduation is school discipline—suspensions, expulsions, and even arrests which are compounded by factors associated with homelessness.

In the 2016-2017 school year, the California Department of Education found that 14,702 students experiencing homelessness were suspended from California public schools at

least once, and 335 students were expelled.^{5,6} Students experiencing homelessness had one of the highest rates of suspension in California (6%), behind students with disabilities (7%) and foster youth (15%).^{1,7} On top of the daily challenges that students experiencing homelessness face, school pushout in the form of zero tolerance policies and discriminatory enforcement of rules make educational attainment even less accessible for this group of youth. Students experiencing homelessness need support in school, not punitive responses—in order to succeed in school.

While much research has been conducted regarding the school-to-prison pipeline, little has been written regarding the specific implications for students experiencing homelessness. This brief examines the existing body of literature regarding the school-to-prison pipeline and homelessness, with additional perspective provided by focus groups of students who have experienced homelessness



¹In the calculation of suspension rates in California, students with disabilities may also experience homelessness or be foster youth. Students who fall into these dual categories are at an even higher risk of being suspended.

and by school staff. This publication focuses on the systemic institutional practices that push youth who lack adequate housing out of the classroom and down a path of juvenile justice involvement. It also will highlight options for supportive, evidence-based approaches that keep more students in school, and better meet the needs of students experiencing homelessness.

I. What is the School-to-Prison Pipeline?

The school-to-prison pipeline describes the trend of using punitive disciplinary strategies that push students out of the education system and into the juvenile justice system. The pipeline reflects the inequitable policies that are in place in many California school districts. These policies unfairly target the most at-risk students with the most severe consequences—including incarceration—rather than with consequences that appropriately respond to the behaviors displayed and the developmental stage of each student. There are many policies, practices, and actors that contribute to the funneling of students out of schools and into the juvenile justice system including zero-tolerance policies, school resource officers, willful defiance, and truancy.

Zero Tolerance

Zero-tolerance policies on school campuses contribute significantly to the school-to-prison pipeline. Zero-tolerance policies are disciplinary tactics that require schools to respond to certain student behaviors with specific punishments in an effort to eliminate those behaviors. Although intended to address the most extreme issues, these

policies allow for those in positions of authority to apply harsh punishments to even minimal student misbehavior. When administrators are required to issue a prescribed punishment in response to a specific behavioral problem, they are unable to take the full context of the student's environment and needs into consideration. In addition, these policies are inequitably and disproportionately used on certain student populations, resulting in inequitable access to education.

Zero-tolerance policies are rooted in the context of the war on drugs of the 1980s and 1990s.⁸ In 1994, Congress passed the Gun-Free Schools Act which required the expulsion and court referral of any student caught bringing a firearm onto public school campuses.^{9,10} Many schools and districts then chose to mirror this process for a longer list of offenses including fighting, drug and alcohol possession, dress code violations, and classroom disruptions.¹¹ In addition, according to the California Education Code, there are certain infractions which require that the student be recommended for expulsion or require that local law enforcement be notified.^{12,13} Thus, zero-

tolerance policies make it possible for a wide range of student misbehaviors to result in students interacting with the juvenile justice system.

The application of zero-tolerance policies often mandates extreme responses to the behavior of children and youth. One example comes out of Maryland, where a second grade student was suspended for two days after forming his breakfast pastry into the shape of a gun and pretending to shoot it at another classmate.¹⁴ While this play may not have been appropriate for the



classroom, its harmless nature warranted a supportive and developmentally-appropriate response. Instead, his age-appropriate game of pretend—which involved the likeness of an object which is often wielded by children’s heroes in the media—triggered the application of a zero-tolerance policy designed to keep children safe. This example demonstrates how these policies can have unintended consequences when applied without taking context into account.



Across the board, **zero-tolerance policies are not evidence-based, do not meet the developmental needs of the young people who are affected by them, and are inequitably applied to students of color; students with experiences of homelessness; lesbian, gay, bisexual, transgender, and queer (LGBTQ) students; and students with disabilities.**¹⁵

Compared to their White peers, Black students nationwide are 3.5 times more likely and Latino students 1.5 more likely to be expelled.¹⁶ Similarly, LGBTQ students are 1.4 times more likely to be expelled than their peers, and students with disabilities represent 20-24% of the suspended and expelled student population nationally.^{17,18} These groups of students are also more likely to experience homelessness, putting them at an even higher risk for experiencing disciplinary action.

School Resource Officers

School Resource Officers (SROs) are law enforcement officers stationed at a particular school or assigned to multiple campuses.¹⁹ The Police Foundation asserts that police were brought into schools to function as “trainers and mentors who would teach

youth about safety.”²⁰ However, the timing of the introduction of on-campus police calls this idea into question. School-based police were first introduced in 1958 in Flint, Michigan, the same year that the Supreme Court ruled that states must comply with the 1954 *Brown v. Board of Education* deliberation requiring desegregation in public schools.²¹ Furthermore, the expansion of police presence in schools between the 1960s and 1980s occurred during a time when law enforcement, school staff, lawmakers, and media outlets across the nation considered youth—particularly youth of color—to be “potentially delinquent” or possible future criminals.²² The origin of school-based police suggests that **racially charged fears prompted the creation of law enforcement in K-12 schools.**

School Resource Officers may involve children and youth in the criminal justice system with oftentimes unclear or absent guidelines regarding officer-student interactions. Unless specific policies are in place at the SRO’s school district or local police department, these officers can treat students more like adults.²³ For example, officers can use pepper spray, handcuffs, and physical restraints on students in response to misbehavior—and some do.^{24,25,26} Many schools fail to communicate to teachers, students, and families that law enforcement officials may intervene in school discipline, and to what extent. A study by the American Civil Liberties Union (ACLU) of 119 California school districts found that many schools provide little to no meaningful guidance to school staff regarding the intervention of law enforcement on campus.²⁷ In addition, an estimated **one third of school districts do not require staff to keep records of on-campus police interactions with students,** something that is required for all off-campus police stops in California per the Racial and Identity Profiling Act of 2015.^{28,29}

Large, potentially unmanageable classroom sizes in California's schools may contribute to the high implementation of zero-tolerance policies and the high involvement of SROs. In 2014, the average ratio of students to teachers in California was 24:1, much higher than the national average of 16:1.³⁰ Zero-tolerance policies can be a way to remove students who are considered



to distract from others' learning, reducing classroom sizes. Similarly, SROs can be used to manage student behaviors and enforce zero-tolerance policies on school campuses. Although SROs participate in student discipline and management, the majority of officers in the United States are not required to be trained on the unique needs of children such as developmentally appropriate consequences and the cultural awareness necessary to create a safe learning environment for all students.^{31,32}

Involving law enforcement to handle student misconduct leaves students with consequences both within and outside of school such as citations and court fines on top of detention, suspension, or expulsion. These tactics can result in monetary consequences, burdening students and families with limited financial resources. Furthermore, students who must attend

a court date miss time in the classroom in addition to time missed during a suspension or expulsion, putting them at an increased academic disadvantage. Other ramifications such as arrests and charges can follow students for much longer. Having a criminal record can impact a student's ability to apply for college, financial aid, public housing programs, and certain jobs for years to come.

Some children and adolescents are having traumatic encounters with police at young ages. In 2005, an SRO arrested a five-year-old girl for throwing a tantrum at school.^{33,34} In 2016, a fourteen-year-old boy was arrested by an SRO for allegedly stealing a 65-cent milk carton from his school cafeteria, and charged with misdemeanor disorderly conduct and petit larceny.³⁵ In 2018, a ten-year-old boy with autism who was misbehaving was removed from the classroom, repeatedly restrained, and handcuffed by a school resource officer.³⁶ Involving police in addressing behavioral challenges of children is not typically developmentally appropriate and creates a foundation for negative associations with law enforcement. **While law enforcement officers may be more prepared to handle public safety issues on campus, campus staff that have the appropriate training—such as school administrators, counselors and social workers—are better prepared to fulfill disciplinary roles.**

Willful Defiance and Truancy

While zero-tolerance policies were originally intended to address illegal behaviors, students also experience severe discipline for behaviors which do not violate any sections of the Penal Code. For example, willful defiance is defined as "disrupting school activities or otherwise willfully defying the valid authority of school staff" and has historically been used as a catch-all

category for a range of undesirable student behaviors.³⁷ **In 2016-2017, willful defiance accounted for 17% of the total students who were suspended in California — impacting about 39,000 students.³⁸ Of these, 2,347 were students experiencing homelessness.³⁹**

In 2013, Los Angeles Unified School District (LAUSD) became the first California school district to ban defiance as a reason for suspension.⁴⁰ As a result of the ban and other reforms,ⁱⁱ the district's suspension rates reduced from 7% in 2005-2006 to less than 1% in 2014-2015.^{41,42,43} That was a difference of 74,765 education days lost to suspensions compared to 6,221 days lost, respectively.^{44,45} This dramatic reduction demonstrates how alternative, non-punitive responses to student misbehaviors increases access to education. Recognizing the misuse of willful defiance in disciplinary actions, California lawmakers later passed AB 420 in 2015 which stopped school districts from 1) issuing suspensions to K-3rd grade students for disruption or willful defiance and 2) expelling any student for disruption or willful defiance.⁴⁶ Limiting this disciplinary practice can help keep all students in learning environments.

Truancy also contributes significantly to the school-to-prison pipeline. Truancy is an example of a status offense,ⁱⁱ or a legal violation that only applies to minors, which may lead to juvenile justice involvement.⁴⁷ According to the California Department of Education (CDE), a truant pupil is absent from school for three full days, tardy/absent for at least a 30-minute period during the



school day on three separate occasions, or “any combination thereof” without a valid excuse in a single school year.⁴⁸ In 2015, 12% of all juvenile arrests in California were for status offenses, 13.5% of which were for truancy.⁴⁹ The CDE asserts that truancy laws are intended to “emphasize the importance of school attendance and [are] intended to help minimize interference with instruction.”⁵⁰ Unfortunately, truancy serves as a common entry-point into the juvenile justice system because habitually truant pupils may be referred to the probation department and fined up to \$100, which low-income students may struggle to pay.⁵¹

II. How Does the School-to-Prison Pipeline Intersect with Homelessness?

In California, young people who experience homelessness are twice as likely as their stably housed peers to be suspended or expelled.⁵² Poverty and homelessness are innately linked, and certain populations are disproportionately affected by both. Students of color, LGBTQ youth, and students with disabilities are overrepresented in the population of young people experiencing homelessness, which puts them at a heightened risk for being caught in the school-to-prison pipeline.⁵³ For young people with multiple marginalized identities, the stakes are even higher. Systemic patterns outside of school grounds like inequitable wealth distribution and a lack of affordable housing combined with discriminatory discipline practices that take place on school campuses perpetuate the demographic trends of homelessness.

ⁱⁱIn 2006-07, LAUSD implemented a Positive Behavioral Intervention System (PBIS), a framework for improving student social behavior. In 2011-12, the district banned suspensions for “willful defiance.” In 2015, the district introduced a restorative justice discipline system.

The Realities of Youth Homelessness

Students experiencing homelessness face numerous daily challenges. They struggle to meet their basic needs such as rest, nutrition and hygiene. Without a safe place to store their belongings, they may need to make difficult decisions concerning what to carry with them and what to leave behind. Transportation assistance to and from school, which by law must be provided by their school of origin, often takes the form of public bus passes which can be difficult to navigate and time consuming to utilize.⁵⁴ Oftentimes, these students face stigma and alienation from teachers and peers alike. The criminalization of homelessness, including citations for panhandling, loitering, camping and sleeping in public areas, also impacts this group of vulnerable youth.⁵⁵ In addition, students who are minors and staying outdoors are at risk of police involvement due to status offenses, which only apply to minors and include violating curfew, running away and truancy.ⁱⁱⁱ All of these challenges make meaningful engagement with the education system incredibly difficult for students experiencing homelessness.

Nearly half of all minors in the United States have experienced at least one severely stressful or traumatic event, and homeless youth are at an even greater risk.^{56,57} Trauma stems from events or circumstances that are “experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual’s functioning and mental, physical, social, emotional, or spiritual well-being.”⁵⁸ According to over 200 youth experiencing homelessness throughout California, the most common reason for their lack of housing is because they were forced to leave their homes.⁵⁹ Despite life on the streets being incredibly dangerous, 38% of these youth said they felt safer since they left home primarily because they

left an unsafe home or escaped abuse.⁶⁰ Homelessness puts youth at risk for further trauma. Given that youth experiencing homelessness struggle to meet their basic survival needs, homelessness can be described as a daily threat to life.⁶¹ Youth experiencing homelessness contend with stigma and alienation, negatively impacting their emotional wellbeing.⁶² One national study found that 39-43% of adolescents experiencing homelessness reported being assaulted with a weapon while on the streets.⁶³ Youth experiencing homelessness are also at a heightened risk of assault and sexual exploitation.^{64,65} According to the National Sexual Violence Resource Center, 21-42% of youth experiencing homelessness experienced sexual assault.⁶⁶ Understanding youth homelessness requires an understanding of the effects of trauma.

Trauma impacts the developing adolescent brain in unique ways and leads to increased challenges in educational settings. Trauma can make it difficult for students to focus and retain information learned in school.⁶⁷ It can also change the way that youth experience stress, causing students to react to different stimuli in unexpected and/or uncontrollable ways.⁶⁸ Certain types of trauma can make it more difficult for young people to trust others, which can manifest as defiance toward authority figures when they feel unsafe or unsupported.⁶⁹ How a young person reacts to trauma is largely outside of their control, as **trauma can change brain chemistry and often results in behaviors that may seem irrational or impulsive.**⁷⁰ Students who have experienced trauma may be more significantly impacted by the day-to-day stressors of school and may be more likely to behave in ways that result in school discipline.

Student Homelessness and School Discipline

The majority of students experiencing homelessness in California value education and recognize that it can help them change their long-term circumstances.⁷¹ Yet, their housing status can directly and indirectly result in school discipline, increasing their risk of becoming caught in the school-to-prison pipeline and reducing their chances of graduating high school. Trauma and unmet needs may cause students experiencing homelessness to act out at school, including engaging in fights and behaving defiantly. Punitive discipline and exclusionary practices are often implemented without consideration of the underlying causes of misbehavior and without consideration of what happens when



a student experiencing homelessness is sent “home” from school. Logistical challenges related to homelessness may result in truancy, dress code infractions, confusion over school policies, and bringing banned items onto campus.

Students experiencing homelessness may have a greater risk of engaging in fights with their peers. Hypervigilance can cause them to interpret situations as more threatening or dangerous than they actually are and engage their fight-or-flight response.⁷² Additionally, these students are often bullied by their peers, in which case

fighting serves as a form of self-defense or self-preservation.⁷³ One poignant example from our focus groups was that of a young transgender woman who had experienced several months of homelessness before transferring to a new high school. Due to her gender expression and homelessness, she was targeted for prolonged bullying:

Girls would stare at me and call me names like a ‘ho’ and stuff like that. I wasn’t really a violent person. But when it comes to the point where they were calling it to me every day... I got fed up with it and I started fighting a lot and that’s how the interactions with the police officers always started because I was always in a fight. My anger was building up, my emotions were building up and my anxiety was building up. I had to let it out, I was mad at the world.

Regardless of the larger context or unmet needs of a student who finds themselves in a physical altercation, fights are often dealt with by removing students through suspensions or expulsions. Consequently, these punishments can impact a homeless student’s feelings of worthiness and belonging—further disengaging them from educational opportunities and taking away a key component of their stability in an otherwise chaotic situation.

Trauma can also manifest at school as defiant behaviors. Oppositional defiance disorder (ODD), characterized by a lasting pattern of negative behaviors including defiance of authority, disruptive behavior, excessive arguing, anger and resentment, is more prevalent in those who have experienced trauma, who live with the stress of poverty, or who live in a household with parental substance abuse.⁷⁴ Even for those who do not meet the full criteria for ODD,

opposition and defiance can be normal parts of adolescence, especially for those who experience high levels of stress or who have difficulty trusting authority figures. While these behaviors may make classroom management difficult, recognizing the underlying causes and responding constructively rather than punitively gives students opportunities to learn and grow.

Students experiencing homelessness are at a heightened risk of truancy which can push them from the education system and into the juvenile justice system.⁷⁵ If a homeless student is staying a long distance away from their school out of necessity, transportation challenges might cause them to be late. Homelessness can cause students to miss entire school days as they and/or their families seek new places to live.⁷⁶ Youth homelessness can also result in increased risk for physical and mental health issues, further hindering a student's ability to consistently attend school.⁷⁷ **Truancy is not necessarily a reflection of values or personal characteristics, nor should it be a justification for further school pushout.** Students without housing who are frequently truant often face multiple barriers which make regular, punctual attendance incredibly difficult.

Dress code infractions are another school discipline issue which may disproportionately affect students experiencing homelessness. Schools requiring uniforms place additional financial hardship on low-income families, and schools that require, as part of their dress code, that students' clothing be clean and well-kempt may disproportionately impact those without regular access to washing facilities, such as youth experiencing homelessness. One youth from our focus group reported that he was not only treated poorly by other students for his unwashed clothes, but by his teachers as well. These

discriminatory policies and interactions may leave students feeling unwelcome, excluded, and even unsafe on campus, contributing to feelings of exclusion or rejection.

Students experiencing homelessness also switch schools more frequently than their housed peers, potentially leading to confusion about school policies.⁷⁸ Schools are given significant leeway in determining discipline policies, and a student who moves frequently may have difficulty understanding and adjusting to each new set of policies, potentially resulting in students receiving increased disciplinary actions. Further, many schools that utilize SROs are not required to share information with students and families about the legal and criminal processes that may be in effect at each campus, creating further confusion for students who have been enrolled at several schools.

For a variety of reasons other than malicious intent, students experiencing homelessness may carry banned items or weapons for self-protection onto a school campus. For example, the National Law Center on Homelessness and Poverty reported a case where "a student, whose family had just been evicted, was expelled after bringing the family's kitchen utensils—including a knife—to school in his backpack."⁷⁹ This student was not attempting to cause violence or harm to others, and the punitive and exclusionary response he received only served to create additional barriers to his academic success. One of the youth in our focus groups reported that, due to feeling unsafe because of his lack of housing and due to his observations of hatred directed at homeless individuals, he carried a knife with him to "know that [his] life is protected." While zero-tolerance policies are intended to keep campuses safe, their broad use and over-utilization does not allow the context of the situation to be accounted for—often

to the detriment of students experiencing homelessness. Because students without housing have no place to store their belongings, they may carry banned items or weapons for self-protection onto a school campus.

Students with histories of trauma and homelessness may display a range of reactions to challenging school situations. Lacking sufficient support from school staff, many feel that they must protect themselves by fighting, talking back, or withdrawing. Logistical challenges related to homelessness may also result in students failing to meet school policies. These situations present both challenges and opportunities. Schools can push students out, or **schools can help break the cycles of trauma, poverty and homelessness by implementing supportive disciplinary practices that create more holistic opportunities for growth, accountability and learning—regardless of a student’s housing status.**

III. Who is at Risk?

Although the school-to-prison pipeline can affect any student, those who have experienced trauma, students of color, LGBTQ students and students with disabilities are disproportionately impacted.⁸⁰ These youth are also more likely to experience homelessness.⁸¹

Students of Color

Poverty and homelessness disproportionately impact students of color, reflecting racism, xenophobia, and other inequitable institutional practices that limit the distribution of opportunities, wealth, and power in the United States. According to the U.S. Census Bureau, poverty impacts 22% of Black households and 19% of Hispanic households compared to 9% of White

non-Hispanic households.⁸² In 2012, Black homeless families with children accounted for 48% of all homeless families living in shelters, even though they make up only 14% of all families with children in the United States.⁸³ One of the most highly visible forms of institutionalized racism is the criminal justice system. In 2016, Blacks and Hispanics represented 12% and 16% of the total adult population but 33% and 23% of total prison inmates, respectively.⁸⁴ Comparatively, Whites accounted for 64% of adults but only 30% of inmates.⁸⁵ In addition, police brutality resulting in the victim’s death continues to disproportionately impact people of color, often without the involved law enforcement officers or police departments facing legal consequences.^{86,87}

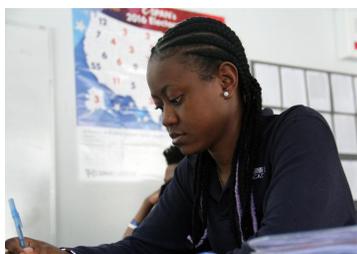
School disciplinary practices mirror society’s broader ills, disciplining students of color more frequently and more severely than others. Nationally, Black students are more likely than their White peers to be disciplined, including being suspended from school, receiving school-based referrals to police, and/or being arrested.^{88,89,90}

The California Department of Education reported that although suspensions and expulsions in California declined by 13% during the 2015-2016 school year from the previous year, **Black students were still suspended at disproportionately high rates, making up 16% of the total students suspended yet only accounting for 6% of the total student population.**⁹¹ Latino, Native American/Alaska Native, and Hawaiian/Pacific Islander students also face higher



rates of arrest and/or school-based referrals to police.⁹² Research does not support the claim that students of color misbehave more often and more severely than White students.⁹³ Rather, numerous studies point to the impacts of implicit bias and racism at play when school staff discipline students of color (particularly Black students).⁹⁴

Likewise, many cases of school-based police brutality towards students of color have surfaced in the media.



For example, a School Resource Officer in San Diego, California, threw a high school student to the concrete and pinned her down for refusing to comply with his orders. Similarly, an SRO in South Carolina threw a student across the classroom for disrupting her class by using her cell phone.⁹⁵ These examples point to the disproportionate and even inappropriate punishments that students face for their misbehavior. The elevated risks to school pushout and incarceration faced by students of color are rooted in the long history of oppression of people of color.

Youth of color experience institutional discrimination engrained in everyday facets of school life. Girls of color also experience the school-to-prison pipeline in unique ways, and are at heightened risk of involvement. Many students who are girls of color have expressed feeling that their gender expression has been policed by SROs. Many schools embrace dress code policies that take away students' rights to wear certain clothing or hairstyles. Many school dress codes explicitly or implicitly ban dreadlocks, braided hairstyles, extensions, and natural hair styles which are commonly worn by people of color.^{96,97} In 2017, for example, twin sisters attending a charter

high school in Massachusetts received several infractions for going to school with braided hair extensions as well as the threat of suspension if they did not change their hairstyles.⁹⁸ Girls of color have also expressed that school staff target them more harshly than their peers for their expression of gender and race—through the enforcement of dress codes.⁹⁹ Furthermore, history textbooks neglect to include the atrocities of colonization and often ignore or marginalize leaders of color.^{100,101} Historical traumas experienced by people of color are compounded with present-day discrimination and systemically unequal treatment in America's public schools.

LGBTQ Youth

LGBTQ youth are also uniquely impacted by trauma, homelessness, and the school-to-prison pipeline. Although many LGBTQ children are accepted by their families, many others suffer discrimination and abuse in their homes of origin before they even get to school. LGBTQ youth are also targeted for their sexual orientation or gender expression at school by both students and school staff. In a recent national study of youth homelessness, LGBTQ youth have a 120% higher risk of reporting homelessness than their peers.¹⁰² Consequently, an estimated 20-40% of the homeless youth population identifies as LGBTQ.¹⁰³ While some LGBTQ children are accepted by school staff and peers, others suffer discrimination and abuse on their campuses. In a 2015 survey of 1,367 U.S. secondary school students, LGBTQ students were more likely to be bullied, experience sexual harassment, and miss school because they felt unsafe compared to their non-LGBTQ peers.¹⁰⁴ Also, 82% of student respondents said that campus staff intervened only "sometimes" or "rarely" when hearing negative remarks about gender expression.¹⁰⁵ When school staff participate in bullying or refrain from

addressing peer bullying directed towards LGBTQ students, these students may act to defend themselves, sometimes resulting in fighting, acts of defiance, or other problematic behaviors due to a lack of alternative options. Without adult support and alternative options, LGBTQ students experiencing discrimination may engage in fights to defend themselves, behave defiantly, and display other problematic behaviors resulting in punitive discipline. In addition, school dress codes that specify different requirements for boys and girls target transgender and gender nonconforming youth.¹⁰⁶ These arbitrary discipline and exclusionary practices can further alienate students from their schools. For LGBTQ youth experiencing homelessness, challenges can be multiplied. When schools respond to LGBTQ students' misbehavior with suspensions and expulsions, these youth are pushed out of school and away from the opportunities to achieve academic success in pursuing their education.

Students with Disabilities

Punitive discipline and, consequently, the school-to-prison pipeline also disproportionately impact youth with disabilities. Following national trends, the suspension rate for students with disabilities in California was approximately two times the suspension rate for all students.^{107,108} Similarly, students with disabilities made up 20% of the total students expelled during the 2016-2017 school year in California, despite being only 11% of the total student population.¹⁰⁹ Youth of color are more likely to be diagnosed with learning disabilities than their white peers. Students who have multiple marginalized identities can experience compounding negative results. For example, a recent study found that students who are both Black and have

a disability receive suspensions far more frequently than their White peers who have disabilities, resulting in more lost days of instruction and inequitable access to education.¹¹⁰

Manifestations of some disabilities may be confusing or difficult to understand. Law enforcement in California, including SROs, are rarely provided trainings on effective techniques for working with minors with disabilities.^{111,112} One example of extreme treatment of students with disabilities is the seven-year-old boy in Dallas who has both ADHD and a mood disorder and who was tased, handcuffed, and taken to a mental health facility (without his mother's permission) for banging his head repeatedly against a wall at school.¹¹³ Head-banging, classified as a stereotypic movement disorder, is a common behavior among people living with many different neurological experiences.¹¹⁴ This situation required the assistance of staff educated on the needs of students with special needs and on appropriate student restraints. Harsh punishment for behaviors that may be out of a child's control creates fear, especially for young children. Instead of being punished, the behavior of youth with disabilities should be addressed by school staff that understand their needs and know how to intervene appropriately.



IV. Students Speak

In an effort to understand the realities that students experiencing homelessness face, we conducted two focus groups with a series of open-ended questions about school discipline.

The first focus group consisted of young adults ages 18–24 with lived experience of homelessness, a majority of whom experienced homelessness while in grade school. Themes that emerged from the conversation with the first focus group included:



- Trauma is a common factor leading up to and as a result of homelessness and serves as a barrier to education.
- Students are bullied by their peers due to their homelessness and/or gender expression, and school administrators sometimes fail to act when informed of the bullying.
- These students sometimes feel mistreated by teachers.
- Students are reluctant to disclose their housing status due to stigma, fear, uncertainty about their rights, and concerns about child welfare involvement.
- Students who did disclose their housing status to school administrators felt better supported by their schools as a result.

The second focus group was conducted at a continuation school with current high school students experiencing homelessness. According to the California Department of Education:

Continuation education is a high school diploma program designed to meet the needs of students sixteen through eighteen years of age who have not graduated from high school, are not exempt from compulsory school attendance, and are deemed at risk of not completing their education.¹¹⁵

Youth at risk of not completing their education include students who need a flexible school schedule to accommodate employment, need to catch up on school credits, and need to balance school with family obligations.¹¹⁶ The most common theme that emerged among the second focus group was that school discipline was problematic at their schools of origin, but their current school does a much better job of meeting their needs. According to the students, the difference is more one-on-one support and healthier relationships with school staff, including guidance counselors and teachers who employ restorative justice practices. These students recognize the importance of school as a safe and supportive environment and highly value their education. Many have goals of obtaining a college degree. See what these students had to say in their own words.

V. Ramifications

For many young people experiencing homelessness, education offers a pathway towards upward economic mobility; however, punitive discipline resulting in school pushout makes it harder for them to reach their academic goals. The ramifications

Students speak about their experiences with school discipline while experiencing homelessness:

"My anger was building up, my emotions were building up, and my anxiety was building up. I had to let it out, I was mad at the world. I took it out on the girls who were picking on me. I even told the counselor that I was being bullied and they still weren't doing [anything] about it so I took it into my own hands."

"I was like 'so what is the whole point of life?' I'm just homeless, you know, and everyone is making fun of me for being homeless and for my gender."

"I had an IEP so I had the privilege of extra time [for testing] which is what homeless students should be entitled to, but they're not."

"I feel like some people are super hard on kids, some kids act out because they don't get enough attention at home, some people are super hard on those kids and I think it just makes the situation worse."

"If you don't have no family and you are homeless in high school it was just hatred everywhere you see. That was my high school.... That's why I keep my own knife, to know that my life is protected."

"School police did not make me feel safe. Cuz I'm black, I'm from the hood. Growing up [it] wasn't a kosher relationship with the cops being from the ghetto. It wasn't helpful."

What can schools do better?

"They shouldn't suspend students who are homeless because they have nowhere to go... they should do in-house suspension."

"Have more counselors, more resources."

"I think they should have bulletin boards with resources on there."

"People who walk the same walk as you though."

of the school-to-prison pipeline can be seen in the individual experiences and outcomes of students who are pushed out as well as in its impacts on communities.

Punitive discipline that moves students out of the classroom can negatively impact their learning for a lifetime.¹¹⁷ The use of suspensions and other punitive practices have been linked to lower achievement levels, graduation rates, and negative impacts on standardized testing scores, potentially also impacting school climate and funding.^{118,119} Public schools are legally required to provide students with equal access to education. Pushing students out of school violates that right and can be traumatizing for young people, especially when these experiences involve arrest or police intervention.^{120,121}

For example, for students who experience arrests, the risk of dropping out is doubled.¹²² For many young people experiencing homelessness, education offers a pathway towards upward economic mobility, but the implementation of punitive discipline practices that lead to school pushout serve as barriers to meeting that objective. School practices such as SRO programs and zero-tolerance policies disproportionately impact certain groups of students along racial, gender, socio-economic status, and ability lines—ultimately resulting in inequitable access to education.

Policies and practices that push students out of school and into the juvenile and criminal justice systems can have lifelong ramifications. For those who are pushed out, the effects of not having a high school diploma are many. The consequences of punitive school discipline do not end when a student leaves school. Without a diploma,

the average full-time worker will earn up to \$10,000 less per year than those who have completed high school.¹²³ Students who do not graduate high school are three times more likely to be unemployed than their college-educated peers.¹²⁴ **They are also eight times more likely to go to**

prison than students who graduate high school.¹²⁵

The experience of being handcuffed and/or put in jail in and of itself can be traumatic. Youth, especially those without the financial resources to defend themselves in court, may also serve time in juvenile detention facilities or jails. A

criminal record from misbehavior in grade school can make finding a job, applying for colleges, or renting an apartment much more difficult. Even for students who were not charged, the debt accrued from legal and court fees can last for years. Education is a pivotal tool in achieving economic stability in society, and increasing barriers to graduating not only limits students' ability to complete goals like earning a diploma, but can also have lasting impacts on students' short- and long-term futures.

The costs of the school-to-prison pipeline impacts students, their families, and taxpayers. School Resource Officer programs are funded at the federal and state levels. For example, the estimated annual salary of one school-based police officer is \$50,000-80,000 a year.¹²⁶ Furthermore, **the costs of inviting officers of a criminal justice system that utilizes financially-based and punitive processes onto public school grounds are significant.** Unless state or local jurisdictions say otherwise, SROs have the authority to issue students citations for their behavior on school grounds.¹²⁷ For unaccompanied minors and students dealing with economic hardship, fines associated with tickets can



be devastating. Students who are arrested and charged are processed into jail cells or courtrooms, at the expense of both individual families and taxpayers. In 2017, Contra Costa County voters supported a measure that would refund fees that families paid between 2010 and 2016 for charges related to school-based accusations of students that were ultimately found to be unsubstantiated. This resulted in erasing millions of dollars of debt that these families would have otherwise had to pay.¹²⁸ One study found that many of the charges brought to the courts from schools have been so minor that they were thrown out, with the cost burden falling on families and taxpayers.¹²⁹

VI. Alternatives to Punitive Practices

Although zero-tolerance policies and other punitive discipline practices remain popular throughout the United States, many schools and communities are making efforts to create alternative, supportive, and nonpunitive options. Options like restorative justice and trauma-informed practices allow all students to receive a quality education while remaining in a safe, inclusive school environment.

Restorative Justice

Restorative justice is a framework for moving away from punitive discipline, instead exploring peaceful solutions that offer a sense of justice for all parties involved. Based in traditionally communal cultures, restorative justice practices emphasize involving the school community, as appropriate, in decision making and resolutions. These inclusive practices promote the development of problem-solving skills amongst students, strengthening their ability to function socially. Allowing students the opportunity to “right” their wrongs and work together to solve problems can help to improve school

climate through collaboration and mutual respect between students and faculty.

Responsive Classrooms

The Responsive Classroom approach is an evidence-based social and emotional learning program for grades K-8 which focuses on four key domains: engaging academics, positive community, effective management and developmental awareness.¹³⁰ By addressing school climate directly in the classroom setting, the Responsive Classroom approach teaches students that school staff are a resource and that schools are safe places to learn. San Francisco’s Marina Middle School utilizes nonpunitive discipline approaches, spearheaded by Assistant Principal Ginny Daws.¹³¹ Daws connects and engages with students by running with them after school and utilizes simple techniques like talking



circles. When classroom challenges arise, Daws supports the teachers on her campus by going into classrooms and talking to students about classroom expectations.

Trauma-Informed Schools

It is necessary for schools to utilize trauma-informed practices in order to improve outcomes for all students and to increase equity for the most disadvantaged student groups. Trauma-informed schools generally recognize the three levels of support and trauma sensitivity: individual, small group, and universal. Using this model, students with additional needs can be referred for small group interventions, and those with the highest level of need can be referred to individual support such as counseling.¹³² Trauma-informed practices look at students' strengths rather than their deficits and provide additional support as needed. Instead of removing students who are considered to be "problematic," trauma-informed practices implemented at the school or district level make their campus culture more supportive for all students.¹³³

Some schools utilize trauma-informed practices with the help of outside agencies. Nearly a dozen schools in Connecticut work with contracted drama therapists to address student needs.¹³⁴ Other trauma-informed practices can include staff trainings to help staff better understand and respond to the effects of trauma on students; student support groups; and classroom-based lessons that address shared traumas that a group of students may have experienced together, such as a natural disaster or school shooting.¹³⁵

Positive Behavior Interventions and Supports (PBIS)

Positive Behavior Interventions and Supports (PBIS) refers both specifically to the interventions defined by the 1997 reauthorization of the Individuals with Disabilities Education Act (IDEA), as well as to the approach of teaching positive behavior to all students.^{136,137} PBIS is based

on the belief that all students can learn appropriate behavior. Teaching students about behavior should be evidence-based, and directly addressing behavior has a positive impact on students and school communities. This approach proactively addresses problematic behavior before it takes place by communicating expectations to students and allowing them to practice positive behaviors through role-playing and behavior-based lessons. By providing students with the social supports they need at their developmental level and clear guidelines about behavior, students can feel more connected to their campus and be less inclined to misbehave.

Supportive School Staff

All students come from a variety of different backgrounds, cultures, and experiences that they bring with them to into the school setting. Additionally, students are children who are growing and learning, not just the content of their classwork but also about themselves and how to behave in the world. As a result, numerous social and emotional issues can arise at school. With supports, these moments can become opportunities for students to learn how to cope with the challenges that they are experiencing.



SROs are primarily trained to provide criminal justice interventions for students. By contrast, supportive personnel such as

school social workers, school counselors and school psychologists are trained on the developmental needs of adolescents, cultural competencies, and tools for responding to social and emotional issues in supportive ways. Based on data from Civil Rights Data Collection, the ACLU found that **1.6 million students in California attend schools that have an SRO on campus but no school counselor.**¹³⁸ Further, California schools have an average of one counselor per 792 students, and one social worker per 12,870 students.¹³⁹ In contrast, the School Social Work Association of America recommends a ratio of 250 students per each social worker, with an even smaller ratio for student groups with greater needs.¹⁴⁰ **Shifting the tasks of disciplining and maintaining positive school climate to professionals who have the tools and training to provide supportive services can help keep students feeling safe at school.**

VII. Perspectives from the field

In order to gain perspective on this issue of school discipline, we conducted a small focus group with some of those most intimately aware of the issue—school staff. Twelve administrators, faculty and staff from schools throughout California provided their perspectives and insights about the issue.

The majority of participants expressed that they feel that teachers do not have the resources, such as time, authority, or training, to appropriately handle students' behavioral challenges. As the challenges of large classroom sizes, high-stakes testing, and low wages for teachers compound, the responsibility of school discipline has shifted away from teachers and toward other staff on school campuses. As schools continue to develop and evolve, school staff must also be given the resources they need to provide supportive interventions for students, with the ultimate goal being increasing positive behavior and keeping students in the

classroom. Here are some of the key points made about the school-to-prison pipeline:

"I try to check in with the student to gain their perspective. This doesn't always work as they may be too upset to respond. Sometimes they need time to regain control of themselves first."

"These behaviors could be a result of being homeless or lacking basic needs, but we aren't always aware 'how bad' it is at home."

"We avoid suspensions except for violence/drugs etc. We can't expel as we have no other school for them to go to."

VIII. Recent/Ongoing Legislative Efforts

Several key pieces of legislation directly impact how students interact with and experience the school-to-prison pipeline. The Interagency School Safety Demonstration Act of 1985 established the School/Law Enforcement Partnership which fosters partnerships between school districts, county offices of education, and law enforcement agencies to increase school attendance and reduce school crime and violence. Currently, each school district has significant discretion in outlining the roles and responsibilities of school resource officers. Schools are also not required to notify parents of the presence of SROs or of their children's rights on campus. Yet, SROs and zero-tolerance policies can decrease attendance through suspensions, expulsions, and arrests. Moving away from these punitive practices and toward the provision of more supportive services for students can lead to better educational outcomes.

The McKinney-Vento Act continues to provide a variety of supports to students experiencing homelessness in California.

Given that a lack of transportation can be a major barrier for consistent attendance—potentially leading to truancy, suspensions, and expulsions—the McKinney-Vento Act’s requirement that schools provide students experiencing homelessness with transportation is especially relevant to how homeless students experience the school-to-prison pipeline. Additionally, the McKinney-Vento Act requires schools to give special attention to any issues that may hinder a homeless student’s ability to enroll in school, such as meeting dress code or uniform requirements. Concerning school discipline, the Education Code has special provisions for foster youth and students experiencing homelessness. If the school board recommends a student who is homeless for expulsion and if the expulsion is discretionary rather than required, the school *must* notify the local educational agency liaison for homeless children and youth of the expulsion hearing. If the expulsion recommendation is required, then the school board *can* notify the liaison, but notification is not required.

In 2013, LAUSD became a state leader when the district banned suspensions for willful defiance. Following a 2014 guidance letter from the U.S. Departments of Justice and Education, other school districts began reforming their use of willful defiance and

other discipline policies that contribute to school pushout. Since then, suspensions for willful defiance decreased, and suspensions overall have declined significantly. In 2014, California lawmakers passed AB 420, limiting the use of willful defiance as grounds for suspension by banning its use for students in grades K-3 and eliminating willful defiance as grounds for expulsion for any California student. When California legislators approved the 2018-2019 state budget, they removed the law’s sunset date, extending the law indefinitely. These changes have had powerful effects, but suspensions in California continue to disproportionately impact students of color; Black students are still 3.6 times more likely to be suspended than their peers. Nevertheless, limiting the use of willful defiance (which has often been used as a catchall) helps keep more students such as those experiencing homelessness in school.

Many advocates and legislators have worked to introduce legislation that would mitigate the effects of the school-to-prison pipeline. Notable ongoing efforts include establishing age 12 as the minimum age for juvenile court involvement, requiring school boards to annually review their policy regarding the scope of police officer interactions with students, and expanding data collection efforts on officer-student interactions.



IX. Recommendations

There are many realistic steps that schools and communities can take to improve outcomes for students experiencing homelessness. As with AB 420, California has been a leader in making changes to school discipline practices and can continue to ensure that the rights of our state's students are upheld.

1. Evaluate and revise existing school and district policies to protect students from being punished based on their housing status.

Examples include dress codes that punish students for attending school in unkempt clothing; classroom policies that punish, exclude, or humiliate students for not having supplies such as paper or pencils; and attendance policies which do not take extenuating circumstances such as housing status into consideration. Policies should be changed to be inclusive, respectful, and accommodating to the needs of all students and the unique experiences they bring with them to the classroom.

2. Utilize professionals who are trained on the developmental and culturally-specific needs of all students to oversee student conflict and behavioral challenges among students.

Disciplinary responsibilities must be shifted to professionals who are trained on the developmental needs of youth. Responses to most misbehavior should aim to better engage young people in their school community rather than involving them in the criminal justice system. Further, supportive staff with training on the developmental and cultural needs of children, adolescents and youth must be present on campus to address the social and emotional needs of all students. California schools must make an effort to move closer toward the recommended ratio of students to supportive school staff, such as social workers that provide resources and support for students in ways that help them learn, grow, and function within the school system. Because of the severe effects of trauma on students' lives and academic performance, it is imperative that schools are equipped with staff that can support students who have been traumatized as they move through the educational system.

3. Move away from zero-tolerance policies.

There is little evidence that supports the efficacy of zero tolerance in schools. Existing evidence indicates that these policies are not developmentally appropriate and serve as barriers to positive relationships between students and the justice system. Zero-tolerance policies contribute to high levels of suspensions and expulsions, which in turn decrease students' ability to graduate. Schools can begin moving away from zero tolerance and towards alternatives that best meet the needs of their particular student body by employing evidence-based practices supported by research.

4. Utilize legal consequences for student misbehavior only in the most extreme cases.

Schools must be safe places for young people to gather and learn. Part of the educational experience of children and adolescents in school includes making mistakes and learning from them. Instead of being handed

expensive citations that they may not be able to pay, removed from campus, arrested, or put in jail, children must be provided with age-appropriate supports to learn from their mistakes. For schools that engage with law enforcement for behavioral issues that arise on campus, clear policies and protocols must be developed and communicated to faculty, staff, students and caregivers so that the potential consequences are understood by all. A community understanding of campus policies and protocols also helps to ensure that practices are implemented without discrimination.

5. Adopt practices such as restorative justice that engage students in the campus community, rather than pushing them out of schools. Work to repair harm by involving all people involved in conflicts in the resolution process. Identify ways to hold people accountable for their behavior while also strengthening the community by cooperatively making steps to repair the damage, physical or otherwise. Practices include interventions such as mediation, and other cooperative techniques which are designed to increase school community, rather than excluding individuals based on their misbehavior. By sharing the responsibility of resolving the issue, students are empowered to think creatively about ways that they can improve their campus community. By engaging students rather than pushing them out, more young people will be more supported in accomplishing their educational goals.

6. Utilize trauma-informed techniques to inform work with students, particularly in school discipline practices. Many young people, including youth who have experienced homelessness, deal with the repercussions of trauma in their personal lives and at school. It is important to understand, recognize, and validate their experiences while at the same time maintaining a safe space for all students to receive their education. Trauma-informed practices can help allow equal educational access to all students. Because attending school is compulsory for all children, public schools can be better prepared to meet the needs of the diverse communities they serve by proactively supporting students who have been exposed to trauma.

7. Eliminate status offenses. Status offenses target young people based on their age, and don't address the root causes of young people's behavior; often, unmet needs. When youth leave home and are criminalized as "runaways," their reasons for leaving home (which often involve abuse or familial rejection) are not addressed. Instead of receiving punishment, youth need supportive services to provide them with the resources they need. Status offenses are an example of a criminal justice response to social problems and, as such, must be adjusted to better address the social and emotional needs of young people.

8. Require that homeless liaisons be notified when any student within their jurisdiction experiencing homelessness is recommended for expulsion in all cases, not only when the recommendation for expulsion is discretionary. School districts can make more informed decisions during expulsion hearings when students experiencing homelessness have access to an advocate who is both informed of the law and aware of the myriad of challenges students experiencing homelessness face.

9. Require that data be collected and reported for all police interactions with students in order to protect students' rights and to further identify disproportionate impact. Currently, the Racial and Identity Profiling Act of 2015 which requires the collection of data for all police stops regardless of outcome, does not apply on school campuses. Collecting data regarding law enforcement involvement on school campuses allows the public to be more informed, increasing transparency and accountability on youth discipline.



X. Conclusion

Poverty and homelessness affect children and youth in many ways. Education has the potential to offer a pathway out of poverty. Barriers to education including punitive disciplinary actions and school pushout via the school-to-prison pipeline, prevent many youth experiencing homelessness from meeting their educational goals—instead putting them on a trajectory towards criminal justice system involvement. By better understanding the social and emotional needs of young people experiencing homelessness, as well as other cultural factors, schools can improve their practices and provide all students an equal opportunity to succeed academically. Schools can and should be a safe space to learn not just formal curriculum but also how to navigate challenging social situations. When schools use creative, thoughtful, evidence-based solutions in response to behavioral challenges, students' needs are validated and their sense of belonging is confirmed. While the school-to-prison pipeline does a lot of harm, practices that move away from school pushout and toward inclusion can have positive impacts that reverberate throughout entire communities, interrupting cycles of poverty and trauma in the process.

XI. Acknowledgements

The authors would like to thank focus group participants for sharing their stories and experiences to inform this brief. Special thanks to our colleagues who provided guidance and feedback throughout the writing process, Alexis Piazza, Michael Santos, Nancy LePage, and Patricia Julianelle.



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**This project is supported by generous funding from
The California Wellness Foundation and The Walter S. Johnson Foundation.**