

The School-to-Prison Pipeline: Disproportionate Impact on Vulnerable Children and Adolescents

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Abstract

This conceptual article synthesizes the empirical research on punitive environmental norms of schools and the disproportionate effects on certain child and adolescent groups, particularly within urban schools. This involvement has come to be known as the school-to-prison pipeline. The young people affected by harsh school discipline protocols and involved formally with the juvenile courts share a number of common vulnerabilities. A review of these common risk factors that children and adolescents experience is presented first. This is followed by identification of which child and adolescent groups are disproportionately involved in the pipeline: the impoverished, those of color, maltreatment victims, students with special education disabilities, and lesbian, gay, bisexual, and transgender.

Keywords

schools, juvenile justice, school-to-prison pipeline, disproportionate impact, discipline

Introduction

A majority of students in the United States' primary and secondary schools are affected by the criminalization of education—security guards, school

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resource officers, security cameras, inflexible discipline codes, and subsequent school punishment rigidity (Lawrence, 2007; U.S. Department of Education, 2014b). Most students experience these security and discipline-focused measures throughout their school day as a normative routine. Though this punitive environmental norm is harmful to many students' learning, academic environment, and socioemotional development, as well as the overall school climate (American Psychological Association, 2008; Bracy, 2010). These measures, counterintuitively to many, make schools less safe (Carter, Fine, & Russell, 2014).

The past 20-year shift toward strict and controlling school discipline and subsequent establishment of the school-to-prison pipeline were not well planned polices or have equitable outcomes. The use of certain security measures within schools—cameras, metal detectors, security guards, and school resource officers—are more commonly found in urban, multicultural, inner-city environments; neighborhoods that more often struggle with poverty and its insidious impact on families (Ruddy et al., 2010). The discipline protocols and prison-like school environments in these schools are likely to harm the students more harshly than schools with fewer discipline measures or less discipline protocol rigidity. However, the pipeline has been established across most schools.

The impact of the school-to-prison pipeline is substantial, involving millions of young people. Of the 49 million U.S. students enrolled in the 2011-2012 academic year, 3.5 million students experienced in-school detention, 1.9 million students were suspended for at least 1 day, 1.6 million students were suspended more than one time, and 130,000 students were expelled (U.S. Department of Education, 2014b). The extent of these problems is probably underestimated because the survey utilized samples of fewer than 3,000 of the more than 98,000 schools nationwide, making the findings projections (Fuentes, 2014; U.S. Department of Education, 2013). Even so, this represents 2.4% of all elementary-aged students and 11.3% of all secondary-school-aged students who were suspended during the 2011-2012 academic year (Burke & Nishioka, 2014).

The juvenile justice system involves equally large numbers of adolescents as the school discipline systems. In 2010, more than 2.1 million young people under the age of 18 were arrested leading to the juvenile courts' handling of almost 1.3 million delinquency cases involving youthful offenders charged with criminal offenses (Hockenberry & Puzanchera, 2014; Majd, 2011; Puzanchera & Robson, 2014). In addition, the juvenile courts processed nearly 150,000 status offense cases, acts that are only illicit for minors and not for adults, representing a slight increase since the mid-1990s (Salsich & Trone, 2013). The largest number of status offense violations were for

truancy (36%), followed by liquor law violations (22%), ungovernability (12%), running away (11%), curfew violations (10%), and other (9%; Hockenberry & Puzanchera, 2014; Salsich & Trone, 2013).

Vulnerable Children and Adolescent

The children and adolescents who are involved in the broad school discipline protocols and the smaller number subsequently caught within the school-to-prison pipeline share commonalities and experiences that place them at higher risk for these outcomes. These school discipline risks are also factors for adolescents' involvement with the juvenile courts.

Poverty

More than one in five children grow up in poverty, and all, minority and Caucasian, are more likely to start school academically behind their peers, are less likely to graduate from high school, and are more likely to be poor as adults (Holzer, Schanzenbach, Duncan, & Ludwig, 2007). The south has the highest number of the nation's poor children (42.1%) and the highest child poverty rate (24.2%), though there are significant state by state variations. Children of color are disproportionately poor, with the youngest children most at risk: Nearly one in three children of color was poor in 2012. African American children were the poorest (39.6%), followed by American Indian/Native Alaskan children (36.8%), and Hispanic children (33.7%; Children's Defense Fund, 2014; U.S. Department of Health and Human Services, 2013b). The families of these children have more difficulty finding and accessing safe housing and in securing mental health care, when needed.

Poverty affects education outcomes for children, and particularly children of color fare worse than nonminority children. Nearly three quarters of lower income fourth- and eighth-grade students cannot read or compute at grade level, compared with only half of higher income students (Children's Defense Fund, 2014) Seventy-eight percent of public school students graduated high school in 4 years in 2010, dropping to 70% for Hispanic students and 66% for African American students. More troubling, and at risk of the school-to-prison pipeline, is that young children in poor families, compared with non-poor families, are two times more likely to have developmental or social delays (Children's Defense Fund, 2014). Many families living in poverty or near poverty also experience homelessness and 1.2 million public school students were identified as homeless during the 2011-2012 school year. If a child experiences homelessness, he or she is twice as likely to have moderate to severe health problems, to repeat a school grade, to be suspended or

expelled, and to drop out of high school (National Low Income Housing Coalition, 2013).

Maltreatment

Academic success and transitions from primary to secondary school are markedly more difficult for many children and adolescents who have been victims of maltreatment. Abuse and neglect may affect children's abilities to learn, decrease cognitive and language capacities (Smithgall, Gladden, Howard, Goerge, & Courtney, 2004), increase risk of special education disabilities, and decrease standardized testing outcomes (Egeland, 1997; Mears & Aron, 2003). Most directly, maltreated children and adolescents have poorer academic outcomes (Leiter, 2007). With this being the case, most researchers reviewed maltreatment as a distinct variable, while fewer researchers investigated the impact a specific type of abuse or neglect had on school performance, and many controlled for known influences on school performance including poverty, family characteristics, social and peer influences, and neighborhoods (Boden, Horwood, & Fergusson, 2007; Staudt, 2001). These children and adolescents are at a significant academic disadvantage.

Primary School

Maltreated children are more likely to have poorer grades and be held back a grade level (Kelley, Thornberry, & Smith, 1997; Shonk & Cicchetti, 2001), particularly in kindergarten and first grade (Rowe & Eckenrode, 1999). This was also found for children in the school year after they entered out-of-home care (Smithgall et al., 2004). It is not clear how the child welfare agency as well as family involvement affect these school delays and being held back, though frequent moves and changes can make or exacerbate educational difficulties (Ayassee, 1995; National Youth in Care Network, 2001).

Cognitive and language delays, apparent at the school enrollment age, are greater for maltreated children when compared with nonmaltreated children from lower socioeconomic backgrounds, and much greater when compared with nonmaltreated children from higher socioeconomic backgrounds (Wiggins, Fenichel, & Mann, 2007). On average, these maltreated students enter school one-half year behind on academic performance (Smithgall et al., 2004) and have poorer academic performance and adaptive functioning at ages 6 and 8 (Kurtz, Gaudin, Wodarski, & Howing, 1993; Zolotor et al., 1999). These students also have higher absenteeism rates (Lansford et al., 2002; Leiter, 2007; Leiter & Johnsen, 1997). The impact of neglect on children's academic outcomes have been consistently found to be harmful, and

particularly on grades and overall academic skills (Leiter, 2007). Three quarters of children (and adolescents) involved with the child welfare system are because of neglect (U.S. Department of Health and Human Services, 2013a).

It should be noted, though, that many children experience more than one type and one occurrence of maltreatment, with the cumulative and interactive effects of these multiple experiences complicating the research findings (Mallett, 2013; Margolin & Gordis, 2000). Some researchers have identified that the severity of abuse has a negative impact on verbal abilities and verbal IQ (Perez & Widom, 1994). The more serious or pervasive the maltreatment, the greater the risk of the child's decline in school performance, including absenteeism and grades, while experiencing maltreatment at an earlier age may lead to behavior problems and increased placement into special education programs (Leiter, 2007; Leiter & Johnsen, 1997). Maltreated children are less inclined to engage in independent activities, require more external motivations, and show less academic engagement (Koenig, Cicchetti, & Rogosch, 2000; Shonk & Cicchetti, 2001). They also show less effective work habits and discipline and receive lower math and English grades during elementary school (Rowe & Eckenrode, 1999).

Maltreated children, and particularly children in foster care, are more likely to be diagnosed with a special education disability during earlier school years—upward of 35% (Children's Law Center, 2003; Scarborough & McCrae, 2009). Children in foster care also have poorer academic achievement compared with their peers. Specifically, these children have been found far below their grade level in reading comprehension—96% behind—and mathematics—95% behind (Hyames & de Hames, 2000). In addition, children in foster care were half as likely to be performing at grade level (Conger & Rebeck, 2001) and upward of 50% held back one grade (Children's Law Center, 2003). Children in out-of-home care do not seem to fall further behind in reading achievement while in care, but the achievement gap remains (Smithgall et al., 2004).

Secondary School

Maltreatment has also been found to negatively affect older students' academic outcomes (Courtney, Roderick, Smithgall, Gladden, & Nagaoka, 2004; Wodarski, Kurtz, Gaudin, & Howing, 1990). More intense, or long-lasting maltreatment, was found to be associated with having a low grade point average and problems completing homework assignments, though the impact was moderated by cognitive deficits (Slade & Wissow, 2007). Older maltreated adolescents also report being behind three or four grade levels in reading abilities and significantly more had repeated at least one grade

(Courtney, Terao, & Bost, 2004). In one survey of out-of-home care, middle-school students were three times more likely to be identified in need of special education services, with almost all students with learning disabilities scoring below national reading norms (Smithgall et al., 2004).

Many maltreated adolescents score significantly lower on standardized and required proficiency examinations (Egeland, 1997): one-fourth in the bottom quartile on the Iowa Test of Basic Skills in Chicago (Smithgall et al., 2004); one-fourth of the Ohio ninth-grade students in foster care passed the mathematics and science tests and only one-half passed the reading proficiency tests (Coleman, 2004); Washington state adolescents in foster care scored on average 15 to 20 points lower on the statewide achievement tests than their non-maltreated peers (Burley & Halpern, 2001). Some researchers have found that maltreated students have significantly lower high school graduation rates when compared with nonmaltreated students (Boden et al., 2007; Buehler, Orme, Post, & Patterson, 2000; Thornberry, Ireland, & Smith, 2001). Children and adolescents in foster care are particularly at risk, with up to 46% not completing high school (Children's Law Center, 2003). Thus, the further maltreated children and adolescents penetrate the child welfare system—as evidenced by placement out of the home, foster care, and aging out of the system—the greater their risk of poor academic outcomes (Mallett, 2013).

Delinquency Risk Factors

Children and adolescents typically experience increased risk for involvement with the juvenile courts as a result of a combination of risk factors, rather than any single experience, leading to offending behaviors and delinquency. These risks, many comorbid, often include poverty, family dysfunction, violence, trauma, academic and learning problems, mental health difficulties, and unstable and disorganized neighborhoods that are primarily in urban areas, among others (Abram et al., 2013; Cuevas, Finkelhor, Shattuck, Turner, & Hamby, 2013; Howell, 2003; Langrehr, 2011; Leone & Weinberg, 2010).

Individual

Factors that increase the likelihood that an individual child or adolescent will develop a special education disability, in particular learning disabilities, include living in poverty, family dysfunction, being adopted, male gender, and low household educational attainment (Altarac & Saroha, 2007). Identified and unidentified special education disabilities, in turn, are a risk factor of delinquent behaviors and delinquency (Mallett, 2008; Mears & Aron, 2003; Sum, Khatiwada, McLaughlin, & Palma, 2009). Students

with learning disabilities are two to three times more at risk than their non-disabled peers to be involved with offending activities both on and off school grounds, to be arrested while in school, and to have higher recidivism rates (Matta-Oshima, Huang, Jonson-Reid, & Drake, 2010; Wang, Blomberg, & Li, 2005).

Maltreatment victimization—neglect, physical abuse, and sexual abuse—has a wide range of harmful outcomes and increases risk of further problems. Harmful outcomes may include poor cognitive development (Guterman, 2001; Wiggins et al., 2007), mental health problems, and drug use or abuse (Kelley et al., 1997; Wiebush, Freitag, & Baird, 2001). Physical abuse of children often results in depression and posttraumatic stress disorder (Kilpatrick et al., 2003), sexual abuse with again posttraumatic stress and anxiety-related disorders, and neglect with anxiety and behavior problems (Turner, Finkelhor, & Ormrod, 2006). Many mental health problems, including a history of early aggression (ages 6-13), hyperactivity, and substance abuse or dependence, are also risk factors of youthful offending behaviors (Chassin, 2008; Grisso, 2008; Hawkins et al., 1998). As noted earlier, maltreatment has a profound educational impact on many children and adolescents, including lower academic performance and grades, falling behind in grade levels, lower standardized testing and proficiency scores, and significantly higher risk for learning disabilities and emotional disturbances (Courtney, Roderick, et al., 2004; Smithgall et al., 2004).

Children and adolescents who have been maltreated are more likely to engage in offending and delinquent behaviors compared with those without maltreatment histories (Maxfield, Weiler, & Widom, 2000). Adolescents who have been victims of physical abuse and neglect have stronger links to delinquency, though researchers are still trying to determine the etiology and differential impact these types of maltreatment typologies have on delinquent activities and offending behaviors (Mallett, Dare, & Seck, 2009; Yun, Ball, & Lim, 2011).

Females are more likely than males to have been victims of sexual abuse and are equally likely to have experienced physical abuse (Hennessey, Ford, Mahoney, Ko, & Siegfried, 2004; U.S. Department of Health and Human Services, 2013a). The cumulative impact of maltreatment, in addition to other risks often associated with this maltreatment, such as substance abuse and school difficulties, may affect females more negatively than males (Howell, 2003; National Center for Child Traumatic Stress, 2009). It is known that repeat maltreatment victimization predicts the earlier initiation and often greater severity of delinquent acts (Stewart, Livingston, & Dennison, 2008). In fact, when other risks are accounted for, this link appears to be strongest in predicting serious or chronic youthful offending (Lemmon, 2006; Smith, Ireland, & Thornberry, 2005).

Family

Living in poverty is associated with many child and adolescent difficulties across school, mental health, and behavior problems, as well as a strong link to delinquency adjudication (Hawkins et al., 2000; Loeber & Farrington, 1998). Poverty increases the likelihood that the family environment will be more unstable for children. Family dysfunction and instability, when measured in terms of witnessing violent treatment of family members, is a risk of later adolescent delinquency (Dembo et al., 2000; Felitti et al., 2008). In addition, criminal activity, particularly by parents (Dong et al., 2004), early parental loss (Farrington, 1997), parent/child separation (DeMatteo & Marczyk, 2005), and residential instability (Felitti et al., 2008; Hawkins et al., 1998) are risk factors of delinquent activities, emotional problems, substance use and abuse, poor academic outcomes, and maltreatment victimization. As can be seen, risk factors for some areas are outcomes for other problems, and vice versa, providing further evidence of the complex interplay of causation and the difficulties in both studying and effectively intervening in these child and adolescent comorbid issues.

Community

The less well organized and cohesive the community is, the greater the risk of poor child and adolescent outcomes. Crime, including drug selling, and low-income housing in the community are linked to delinquent behaviors, as is the exposure to violence within the community: situations more common in urban environments. Witnessing violence has been associated with aggressive behavior, poor school performance, and increased mental health difficulties, including depression, anxiety, and trauma (Gorman-Smith & Tolan, 1998; Margolin & Gordis, 2000; Schwartz & Gorman, 2003). These more violent communities are often disproportionately composed of minority populations and poor (Kracke & Hahn, 2008). The interrelationship of risks across the individual, family, and community is often confounding.

Disproportionate Impact: School-to-Prison Pipeline

It is clear there are common experiences and difficulties for being involved in school discipline and the juvenile justice system across certain vulnerable children and adolescents, with similar risks within their families, in schools, with peers, and in neighborhood settings. These risks, experiences, and problems make it much more likely for the young person to have school problems,

peer issues, family difficulties, and police and juvenile court involvement—and for some, this means involvement in the school-to-prison pipeline.

This pipeline disproportionately affects and involves certain child and adolescent groups: those who experience poverty, students of color, students who have special education disabilities, children and adolescents who have been traumatized or maltreated, and young people who identify as lesbian, gay, bisexual, and transgender (LGBT). School discipline is not evenly distributed; it is these students who more often experience suspensions, expulsions, and school-based arrests, making school failure and dropping out of school more likely. However, most existing research finds that these students do not misbehave more nor are more prone to causing school-based problems, but the explanation is more often unfair targeting by school and police personnel of these children and adolescents (Carter et al., 2014; Kupchik, 2010). The unfair targeting and disciplining of these students runs counter to the principles of education and skill development: academic training, behavior modification, and socialization toward young adulthood (Devine, 1996).

Impoverished Children and Adolescents

Lower income and poor students—who are also disproportionately children and adolescents of color, many living in urban areas (U.S. Department of Health and Human Services, 2013b)—are more likely to be punished in school, and with harsher discipline, than middle-class students (McCarthy & Hoge, 1987; McNulty-Eitle & Eitle, 2004). More specifically, almost 22% of those under the age of 18 were living in poverty in 2012 (more than 16 million), an increase of 34% since 2000. More than one in three Hispanic and African American children and adolescents were poor compared with one in eight Caucasian children and adolescents, with a greater disparity for those living in extreme poverty—one in five African American and one in seven Hispanic children (Children's Defense Fund, 2013; U.S. Department of Commerce, 2013).

While students in poverty are overrepresented in populations that experience more school discipline, poverty is not an explanatory or a correlative reason for these outcomes. The relationship between poverty and school disruption or behavioral disorders is quite small (Fabelo et al., 2011; Skiba et al., 2011; Skiba & Williams, 2014). In other words, significant racial disparities in school suspension and expulsions have been consistently found after controlling for poverty (Noltemeyer & McLoughlin, 2010; Skiba, Michael, Nardo, & Peterson, 2000; Wu, Pink, Crain, & Moles, 1982). Schools are the safest environment for children and adolescents and can maintain security in poor, middle-class, or wealthy neighborhoods, for

safety is based on school climate, relationships, academic supports, and trust across stakeholders. Poverty, and other related neighborhood problems like crime, is less important than these school supports in keeping children and adolescents in school and academically successful (Carter et al., 2014; U.S. Department of Education, 2014a).

Students who are most affected by these punitive policies—both in schools and the juvenile courts—are low-income males of color. In school settings, it is particularly true that minority students are treated more harshly in underresourced urban schools. Specifically, schools with a greater proportion of African American students, found more often in urban settings, have increased zero tolerance policies and use harsher, compared with milder, discipline measures (Muschert, Henry, Bracy, & Peguero, 2014). In these school environments, there is for many students a cumulative impact, with the use of more than one discipline measure in many situations (Welch & Payne, 2010). In addition, these schools are less likely to be communally organized, a framework that has been found to be an effective alternative to harsh discipline policies (Payne, 2012; Payne, Gottfredson, & Gottfredson, 2008).

However, poverty and living in more disorganized communities, often urban, including higher crime rates, greatly increase the risk of children and adolescents to become involved in delinquent activities and the juvenile courts. Part of the explanation for higher delinquency risks is that poorer and more disorganized neighborhoods have weaker social controls, increasing residents' isolation which causes higher neighborhood turnover (Hawkins et al., 2000; Shader, 2001). While this link has been established, there still remains a paucity of reviews trying to determine how many of the youthful offenders involved in the juvenile courts come from poor families, or what proportion of adjudicated or detained youthful offenders are from poor families. While the risk from poverty to delinquent activities is established, national or longitudinal studies of the courts are marred by different reporting expectations and lack of local courts' data collection or sharing. However, when reviewing the overrepresentation of children and adolescents of color in both the school discipline pipeline and formal juvenile court involvement, the answer becomes more clear. In particular, there is strong evidence when investigating the juvenile courts' detention and incarceration facilities (Mallett, 2013).

Children and Adolescents of Color

Over the past three decades, reviews have found minority students to be significantly more at risk than Caucasian students for school discipline, harsher

outcomes, and involvement in the school-to-prison pipeline (Advancement Project et al., 2011). These are not new problems for African American students, though historical investigations are less complete for other minority groups, including Hispanic and Native American students. Nonetheless, since 1975, African American students have been suspended from school at two to three times the rates of Caucasian students, with some finding significantly higher disparities (Children's Defense Fund, 1975; Fabelo et al., 2011; Gregory, Skiba, & Noguera, 2010; Losen & Martinez, 2013; Massachusetts Advocacy Center, 1986; Morgan, Salomon, Plotkin, & Cohen, 2014; Rausch & Skiba, 2004; U.S. Department of Education, 2000).

These disparities are found across the continuum of school procedures, school locations, and school districts. More specifically, African American students, particularly males, are 3.5 times more likely to be suspended or expelled than their peers, with one in five African American male students being suspended out of school for at least 1 day during the 2012 school year (U.S. Department of Education, 2014b). As noted, these disparities cannot be explained by higher rates of student misbehavior or the difficulties of living in poverty (Carter et al., 2014; Nicholson-Crotty, Birchmeier, & Valentine, 2009; Skiba, Shure, & Williams, 2012). These disparities are also found, though to lesser degrees, for Hispanic and Native American students as well as English language learning students, depending on the location of the school district (The Center for Civil Rights Remedies, 2013). Nationwide, African American students constitute 18% of students but represent 39% of expulsions and 42% of referrals to law enforcement while in school, and in more disparate contrast, African American and Hispanic students constitute 42% of students but account for 72% of those arrested for school-related offenses (Losen, Hewitt, & Toldson, 2014).

Case in point, a recent and important review of 364 elementary and middle schools found African American students were more than twice as likely as their Caucasian peers in elementary school to be referred to the office for problem behaviors and nearly four times more likely in middle school. In addition, African American and Hispanic students were more likely than their Caucasian peers to be suspended out of school or expelled for the same or similar infraction of school discipline policies (Skiba et al., 2011). In certain reviews, and where racial disparities exist, African American and other minority students, compared with Caucasian students, were more often disciplined for more subjective infractions or misbehaviors—disrespect, loitering, and excessive noise, among others (American Psychological Association, 2006; Skiba, Michael, Nardo, & Peterson, 2002). This is poignant because a majority of suspensions and expulsions are because of nonserious actions or behaviors, with disobedience—defiance and/or disruptive behavior—being

the most common reason (The Equity Project at Indiana University, 2014; Wald, 2014).

In recent research from the Discipline Disparities Research to Practice Collaborative, a longitudinal study of Florida schools found that 39% of African American students had experienced suspension, 26% of Hispanic students, and 22% of Caucasian students, with African American students having longer suspension time frames even after controlling for the impact of poverty (Balfanz, Byrnes, & Fox, 2015). Gender was also found to have an impact on these disparate discipline outcomes. While males are significantly more likely than females to be suspended or expelled, generally around twice the risk, African American males are most at risk of school-based arrest and suspension, though African American females are at higher risk than Hispanic or Caucasian females for these same discipline outcomes (Darensbourg, Perez, & Blake, 2010; Skiba et al., 2014).

There are also disproportionate impacts on youthful offenders of color involved with the juvenile courts. Adolescents of color are overrepresented at each decision-making point within the juvenile justice system, from arrest to charges to disposition, with the greatest disparities the further a youthful offender penetrates the system. This problem is known as disproportionate minority contact (Piquero, 2008). African American youthful offenders are referred to the juvenile courts for delinquency adjudication at a rate 140% greater than Caucasian youthful offenders (Puzzanchera & Robson, 2014). And if adjudicated and probation supervised youthful offenders continue through the juvenile justice system to residential placement, the disparity is stark: African Americans and Hispanics represent one third of this country's adolescent population, but more than two thirds held in the juvenile incarceration facilities (Hockenberry & Puzzanchera, 2014; National Council on Crime and Delinquency, 2007).

More specifically, these incarcerated youthful offenders are older adolescents (16- and 17-year olds), minority (68%), and male (87%). Of the youthful offenders incarcerated who are minorities, approximately 60% are African American, 33% are Hispanic, and, depending on the jurisdiction, between 1% and 4% are American Indian or Asian (Office of Juvenile Justice and Delinquency Prevention, 2014). These disparities are found in nearly all states with a greater impact on minority males than females (Office of Juvenile Justice and Delinquency Prevention, 2014). To highlight the risk, an African American youthful offender is six times more likely to be incarcerated and a Hispanic youthful offender three times more likely than Caucasian youthful offenders, even when controlling for other explanatory variables (Kempf-Leonard, 2007; Piquero, 2008).

Students With Special Education Disabilities

Students with special education disabilities, as prescribed and directed by the Individuals With Disabilities Education Act (IDEA), are entitled to receive a free appropriate, public education in the least restrictive education environment. Children and adolescents across a wide range of difficulties are protected by this federal law, but many are being inappropriately removed from the classroom and schools through harsh discipline practices (Advancement Project et al., 2011). The primary concern for those overrepresented in the pipeline and the juvenile courts are students with emotional disturbances and/or learning disabilities (Mallett, 2011; Mears & Aron, 2003). It is well established that students with learning disabilities have a two to three times greater risk than students without these disabilities of being involved in offending and delinquent activities and to have higher recidivism rates (Matta-Oshima et al., 2010; Wang et al., 2005). The risk for students of color to be diagnosed with learning disabilities is significantly greater: Hispanics are almost 20% more likely, African Americans are more than 40% more likely, and American Indians are 80% more likely (U.S. Department of Education, 2014b).

Most reviews of students with special education disabilities find that they represent a larger percentage of the suspended and expelled student population—20% to 24% compared with the typical 11% to 14% of the population that students with special education disabilities represent within their school district (Fabelo et al., 2011; Harry & Klingner, 2006; Kansas Department of Education, 2004; Losen & Gillespie, 2012; Losen & Martinez, 2013). These discipline disparities have been found to be both an outcome of higher rates of student misbehaviors and disruptions, but also for misbehavior to have no impact on these differences, calling for more investigations to determine whether there is bias or targeting of students occurring (American Psychological Association, 2008).

In particular, students with certain impairing mental health problems—diagnosed under the IDEA as an emotional disturbance—are found to be most at risk of school discipline within the special education student population, with some researchers finding almost three fourths of this group suspended or expelled during their high school years (Wagner, Kutash, Duchnowski, Epstein, & Sumi, 2005), and others finding these discipline outcomes to be between seven and 12 times more likely for students with emotional disturbances compared with students without (Cooley, 1995). In some jurisdictions African American students with emotional disturbance disabilities are most at risk, with significantly higher numbers being suspended or expelled than Caucasian students with disabilities in studies in Texas and Los Angeles (Fabelo et al., 2011; Losen & Gillespie, 2012). This

student group with emotional problems is more likely to be placed in restrictive settings, have high school dropout rates, and 50% have at least one arrest as young adults, during and after high school (Merrell & Walker, 2004).

Significantly large numbers of youthful offenders involved with the juvenile courts have special education disabilities, particularly those in detention and incarceration facilities—between 28% and 43% (Kvarfordt, Purcell, & Shannon, 2005; Rozalski, Deignan, & Engel, 2008; Wang et al., 2005; White & Loeber, 2008). Among those adolescents with special education disabilities in these locked facilities, 48% had an identified emotional disturbance, 39% had a specific learning disability, 10% had mental retardation (developmental disabilities), and 3% had other health impairments (Burrell & Warboys, 2000; Quinn, Rutherford, Leone, Osher, & Poirier, 2005).

A smaller subset of this child and adolescent population with mental health disabilities, between 5% and 10%, develop serious emotional disturbances that cause substantial impairment in functioning at home, at school, and/or in the community. This group with serious emotional disturbances does not differ significantly in terms of age, ethnicity, or gender from the general child and adolescent population (Friedman, Katz-Leavy, Manderscheid, & Sondheimer, 1996; Substance Abuse and Mental Health Services Administration, 2013). However, these severely impaired young people have challenges accessing mental health services, have trouble in school settings, and are often formally involved with the juvenile courts (Armstrong, Dedrick, & Greenbaum, 2003; Bazelon Center for Mental Health Law, 2003). This small number of adolescents who are considered seriously emotionally disturbed typically have long histories of multiple mental health disorders that will normally persist into adulthood, and make up an estimated 15% to 20% of the youthful offenders in juvenile justice detention and incarceration facilities (Cocozza & Skowrya, 2000; Mallett, 2013).

In addition to this subgroup of offending adolescents, many are diagnosed with other mental health problems. Common mental health disorders found within juvenile justice correctional facility populations includes depressive disorders (between 13% and 40%), psychotic disorders (between 5% and 10%), anxiety disorders (up to 25%), attention-deficit hyperactivity disorder (ADHD; up to 20%), disruptive behavior disorders (between 30% and 80%), and substance use disorders (between 30% and 70%; Abram et al., 2013; Goldstein, Olubadewo, Redding, & Lexcen, 2005; Grisso, 2008; Kinscherff, 2012). Today's juvenile justice detention and incarceration facilities have through various policy changes—deinstitutionalization in the 1960s and 1970s, inadequate community-based mental health resources, and a punitive criminal justice paradigm—become yesterday's psychiatric hospitals. A role the facilities are quite poorly equipped to handle (Mallett, 2013).

Maltreatment

The link from maltreatment and trauma to the school-to-prison pipeline is indirect. This is the case for two reasons. First, maltreatment and related traumas have multiple harmful impacts on children and adolescents, both at the time of the incidents as well as over time and through comorbidity of difficulties. Second, because of research methodological challenges and the dearth of literature and published investigations, other links and risks are more readily apparent or easily discerned (Mallett, 2013). Here, the links and risk factors are presented, with a *prima facie* conclusion that maltreatment is at minimum a strong correlative thread for many students into and through the pipeline.

The links from maltreatment, particularly for child victims, to school difficulties is clear. The literature on school discipline and the number of groups who are at higher risk of involvement in the pipeline is also self-evident—children and adolescents in poverty, students of color, and students with special education disabilities (among others). Thus, maltreatment may be a strong, and for many children a direct, link to disproportionate school discipline because of these trauma-related problems. In addition, it is speculated by many child welfare experts that the identified and substantiated cases of child maltreatment is significantly undercounted—with the actual number of victimizations being many times greater than the annual approximate count of 800,000 (Child Help, 2014; U.S. Department of Health and Human Services, 2013a). If so, maltreatment and its subsequent harm on school outcomes may also be a hidden explanatory or correlative link to students' eventual involvement in the pipeline. It is one possible reason why the juvenile courts have a surprisingly disproportionate number of youthful offenders with maltreatment backgrounds.

When this disproportionality is evaluated, it is identified that between 26% and 60% of adjudicated delinquent adolescents have been found with past or concurrent maltreatment victimizations (Bender, 2009; Ford, Chapman, Hawke, & Albert, 2007; Mallett et al., 2009; Sedlak & McPherson, 2010; Stouthamer-Loeber, Wei, Homish, & Loeber, 2002). This maltreatment to delinquency link has been fairly well established, though with some gaps in knowledge. Through the use of longitudinal and group comparison designs, maltreatment victims have been found much more likely to be arrested, though this varied by gender, race, and maltreatment type, to be involved with more serious delinquent activities, and for the continuation of criminal involvement (Lemmon, 2006).

Though maltreatment is a significant risk factor of later juvenile court involvement, it is important to highlight that a majority of children and

adolescents who are victims never become involved with the juvenile courts (Widom, 2003; Yun et al., 2011). However, as noted, victims of maltreatment are significantly overrepresented among those involved with the juvenile courts and, in particular, among those youthful offenders who are detained and incarcerated in facilities where more than half of the residents have been victims (Currie & Tekin, 2006; Lemmon, 2006). Thus, it is not surprising that there is strong empirical support confirming the links across child and adolescent trauma, mental health difficulties, and placement in juvenile justice detention and incarceration facilities (Abram et al., 2013; Hooks, 2012).

The correlation across child maltreatment, schools, and juvenile delinquency is a serious, though underinvestigated, concern. Research is gradually revealing how victimization experiences may contribute to the child and adolescents' pathway into delinquency. Yet this remains a complex matter because of the hidden and unidentified victims, differential impact of maltreatment, maltreatment victimization types, and diverse harmful outcomes, and because a number of maltreatment outcomes are, in their own turn, also significant youthful offending risk factors. Further investigations are warranted, and in particular, looking at the school to juvenile justice system link.

Lesbian Gay Bisexual and Transgender Students

Students who identify as LGBT have been found to be at greater risk of involvement in school discipline and, for some, the juvenile courts and detention and incarceration facilities (Losen et al., 2014). In the past few years, researchers have identified this student group to have heightened risk of involvement in the pipeline; this may be due to more students have found ways to identify as LGBT and subsequently researchers have been investigating the problems for this group. Thus, there is limited, though compelling evidence (Mitchum & Moodie-Mills, 2014).

LGBT students experience exclusionary discipline—suspensions and expulsion—and hostile school environments more often than their peers, increasing the risk of arrests and juvenile court involvement (Skiba et al., 2014). One nationally representative research sample of LGBT-identifying students found a 30% to 150% greater risk, dependent on outcome of interest, for school expulsion, juvenile arrest, and conviction, with a particularly higher risk for girls, even after controlling for other explanatory variables (Himmelstein & Bruckner, 2011). School environments have been found to be hostile and unsafe for many LGBT-identifying students, leading some to become confrontational and aggressive to maintain safety (Kosciw, Greytak, & Bartkiewicz, 2012; Savage & Schanding, 2013).

Other LGBT-identifying students avoid the difficulties, hostilities, and challenges and have increased absenteeism rates, due to being unsafe in school, with many having poorer academic outcomes, grades, and school engagement as a result of these and other problems (Kosciw, Palmer, Kull, & Greytak, 2013; Murdock & Bolch, 2005; Russell, Kosciw, Horn, & Saewyc, 2010). In-school victimizations for LGBT students has been associated with harmful psychological effects, including depression and other mental health difficulties, including high rates of suicide compared with their peers (Himmelstein & Bruckner, 2011; Human Rights Watch, 2009; Toomey, Ryan, Diaz, & Russell, 2011). Within the LGBT student community, the most recent school climate report found that 63% felt unsafe because of their sexual orientation, 38% were physically harassed, 18% were physically assaulted, and 32% skipped a day of school in the prior month due to feeling unsafe (Kosciw, Greytak, Bartkiewicz, Boesen, & Palmer, 2012). These difficulties may also begin for many of these young people at home, where there is a significantly increased risk of family violence once an adolescent announces their sexual orientation as nonheterosexual (Estrada & Marksamer, 2006), as well as disproportionate numbers of LGBT adolescents who run away from home (Burwick, Oddo, Durso, Friend, & Gates, 2014). Homelessness is a significant predictor for a young person to be involved with the juvenile justice system and up to 40% of homeless adolescents are LGBT (Majd, Marksamer, & Reyes, 2009).

As LGBT students are disproportionately affected by school discipline, greater numbers are undoubtedly moving through the school-to-prison pipeline. Though this area is a recently investigated phenomenon, for the same research limitations enumerated earlier, it is probably not a new situation in the juvenile courts. Historical myths that LGBT adolescents are rare or non-existent in the juvenile courts have given away to epidemiology of the adolescent population. Emerging evidence has found that LGBT adolescents are twice as likely to be arrested and detained for status and other nonviolent offenses (Irvine, 2010), and that between 13% and 15% of youthful offenders formally processed in the juvenile courts and being held in the detention centers are LGBT (Beck, Cantor, Hartge, & Smith, 2013; Majd et al., 2009). A disproportionate number, up to 60%, of these arrested and detained LGBT adolescents are Black or Hispanic, mirroring or expanding the racial and ethnic disparities (Hunt & Moodie-Mills, 2012; Piquero, 2008).

In fact, family rejection and school harassment continue to be factors that increase the numbers of LGBT adolescents in the juvenile justice system, with this lack of support perpetuating offending and truancy recidivism (Fedders, 2006). LGBT adolescents are also nearly three times more likely to report being a victim of childhood physical or sexual abuse, with boys more

at risk than girls. Following family rejection during adolescence, drug use was three times more likely and suicide was eight times more likely for LGBT young people (Ryan, Huebner, Diaz, & Sanchez, 2009). In addition, one review found that the risk of home removal by a children's service agency and placement in a group or foster home was twice as likely for LGBT adolescents than maltreated non-LGBT adolescents (Irvine, 2010). As discussed, the link from maltreatment to the juvenile courts is well established, and the comorbidity of difficulties and its impact on these adolescents has become a serious policy concern over the past decade.

Conclusion

There are effective ways to change the future for these children and adolescents. The pipeline can be dismantled, without decreasing school or community safety. There are evidence-based practices and policy changes to move from punitive to rehabilitative paradigms in the schools and juvenile courts (Muschert et al., 2014). In some states and jurisdictions, there have been significant changes, modifications to zero tolerance policies, amended student codes of conduct, and inclusive rehabilitative efforts that have led to much improved outcomes for these vulnerable children and adolescents (Davis, Irvine, & Ziedenberg, 2014). It is the responsibility of the education and juvenile justice professions, both urban and nonurban, working within practice and policy systems to become aware of these problems in their local communities, identify what needs to be changed, and lead the way across schools and the courts to help turn the focus to inclusion and rehabilitation of these young people and not exclusion from their educational rights.

A society is judged not by the success of its most prominent or able-bodied but by how it treats its most disadvantaged. When looking at the impact of the school-to-prison pipeline, it is difficult to draw any conclusion other than we have failed many of these children and adolescents. It is possible to dismantle established policies that were based on fear, a tough on-crime philosophy, and a dearth of empirical data that led to the problems discussed here. We now know that the zero tolerance movements in our schools and juvenile courts do not work but need concerted efforts across many stakeholders to shift toward a rehabilitative paradigm for all students.

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