

RESOLUTION ON DISMANTLING THE SCHOOL-TO-PRISON PIPELINE

Summary: The Resolution on Dismantling the School-To-Prison-Pipeline recognizes this Pipeline as an injurious yet growing system of institutional inequity that funnels young people from schools to prisons. The Resolution recognizes the practices of educational institutions can contribute to this Pipeline, contributing to increased criminal justice involvement, and calls for changes to be made.

Based on the City of _____ Resolution adopted _____.

RESOLUTION

WHEREAS, the Montana Constitution Article X guarantees “a basic system of free quality public elementary and secondary schools” with the goal being “to establish a system of education which will develop the full educational potential of each person”; and

WHEREAS, pursuant to Montana Constitution Article X “[e]quality of educational opportunity is guaranteed to each person of the state.” “The state recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity”; and

WHEREAS the Montana Legislature is obligated to “provide a basic system of free quality public elementary and secondary schools” according to Article X of Montana’s Constitution; and

WHEREAS, the School-to-Prison Pipeline (STPP) is an injurious yet growing system of institutional inequity that funnels young people from schools to prisons. As part of the crisis of mass incarceration, the STPP is a dimension of historical and institutional racism redesigned; and

WHEREAS, the STPP is a disturbing national trend wherein children are policed out of public schools and into the juvenile and criminal justice systems, an increasing percentage of which are privatized; and

WHEREAS, studies from across the country have found that students who interact with law enforcement or are suspended from school are less likely to graduate. When these students are pushed out of school, they face lower rates of employment and higher rates of incarceration; and

WHEREAS, many of these children are cognitively atypical or endure histories of poverty, abuse, neglect, and/or trauma. Such students would benefit from additional educational and counseling services instead of the current practice of isolation, penalization, and suspension/expulsion; and

WHEREAS, alternately, some students are forced into this pipeline without cause—simply for being socially and culturally different. When combined with zero-tolerance policies, educators' decisions to refer students for discipline might lead to harsh and enduring punishment, contributing to extremely high dropout and “pushout” rates. Such students are much more likely to be introduced into the criminal justice system and have harder life circumstances; and

WHEREAS, racial minorities and children with atypical abilities are disproportionately represented in the STPP. According to a nationwide study by the US Department of Education Office for Civil Rights, African American students are 3.5 times more likely than their White classmates to be suspended or expelled. Black children constitute 18 percent of students, but they account for 46 percent of those suspended more than once; and

WHEREAS, for students with atypical abilities, the numbers are equally troubling. One report found that while 8.6 percent of public school children have been identified as atypical, these students make up 32 percent of youth in juvenile detention centers; and

WHEREAS, the racial disparities are even starker for atypical students of color. According to an analysis of the government report by Daniel J. Losen, director of the Center for Civil Rights Remedies of the Civil Rights Project at UCLA, about 1 in 4 atypical Black children were suspended at least once versus 1 in 11 atypical White students; and

WHEREAS, a December of 2019 ACLU of Montana landmark report, “Empty Desks: Discipline & Policing in Montana’s Public Schools”, found that in Montana, Indigenous students faced the highest disparities: they lost nearly 6 times the rate of instruction and were arrested more than 6 times as often as their White peers. Black students lost nearly 3 times the amount of instruction compared to White students. Latinx students lost 1.5 times the amount of instruction compared to White students; and

WHEREAS, public schools on reservations were more likely to have a law enforcement officer (LEO) at school and these schools with LEOs had 9 times more arrests of students than schools without LEOs as well as lower graduation rates than schools without LEOs;

WHEREAS, the 2019 ACLU of Montana study discovered “Indigenous female students had the highest school-related arrest rates, arrested at 12 times the rate of white female students”; and

WHEREAS, the same 2019 ACLU of Montana study found that “Montana’s schools have higher school-related referrals and arrests than the national average for all students”; and

WHEREAS, nationwide data shows that schools that employ school counselors, social workers, nurses, and psychologists see improved attendance rates, lower rates of exclusionary discipline, improved graduation rates, and improved school safety but Montana schools struggle to meet the recommended ratio of school-based mental health staff, including nurses, social workers, psychologists, or social workers; and

WHEREAS, in 2016 the National Council of Teachers of English have recognized the injurious impact of the STPP and the need to take steps to end it; and

NOW, THEREFORE, BE IT RESOLVED that the City of _____ recognizes the STPP is an injurious yet growing system of institutional inequity that funnels young people who are cognitively atypical or have endured histories of poverty, abuse, neglect, and/or trauma from schools to prisons; and be it further

RESOLVED that the City of _____ recognizes the need to strengthen the knowledge base of citizens and educators regarding the relationships among mass incarceration and school curricula, practices, and policies; and be it further

RESOLVED that the City of _____ recognizes the need for the development and dissemination of restorative and culturally-sustaining pedagogical tools that help dismantle the STPP and calls upon education institutions to utilize these tools; and be it further

RESOLVED that the City of _____ calls upon educational institutions to partner with local and national STPP advocacy groups and other professional literacy organizations to raise the awareness of the institutions or to raise their own institutional awareness of the STPP crisis; and be it further

RESOLVED that the City of _____ encourages educational institutions to examine their own policies and the outcomes disciplinary and other policies may have in unintentionally contributing to the STPP; and be it further

RESOLVED that the City of _____ encourages educational institutions to make stopping the STPP a priority and promote policies that adequately address the STPP;

RESOLVED that the City of _____ encourages educational institutions to explore ways to provide additional educational and counseling support and services to children who are struggling behaviorally or otherwise in school instead of suspending children from school; and be it further

RESOLVED that the City of _____ encourages the Montana Legislature to provide additional funding for Montana's public schools so that they are adequately funded and the Montana Legislature fulfills its Montana Constitutional Article X obligation to "provide a basic system of free quality public elementary and secondary school" so that every student has equality of educational opportunity; and be it further

RESOLVED that the City of _____ calls upon the Montana Legislature to fulfill its Constitutional duty to provide funding for a free quality public education so that the full educational potential of each person is developed and that the cultural heritage of Montana's American Indians is preserved and that any special needs of American Indian students as related to the STPP are addressed;

RESOLVED, that suitable copies of this Resolution be delivered to the President of the United States, all members of the United States Congress, the United States Secretary of Education, all statewide elected officials in Montana, leaders of all Tribal Nations in Montana, members of the Montana Legislature, _____ County Commissioners, and _____.