



Legislation Text

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Res. No. 1182

Resolution urging an end to practices which foster the “School to Prison Pipeline,” a national trend in which students are being pushed out of the public school system and into the juvenile and criminal justice systems.

By Council Members James, Comrie, Gonzalez, Jackson, Mealy, Palma, Stewart and Mark-Viverito

Whereas, Many researchers, education and civil rights advocates have been raising awareness regarding an alarming national trend whereby public school students are being subjected to harsh punishment, including suspensions, expulsions and arrests, for school discipline code infractions; and

Whereas, This trend, commonly referred to as the “School to Prison Pipeline,” is related to zero-tolerance strategies employed by many school districts throughout the country; and

Whereas, For example, a recent report by the American Psychological Association ("APA") found that such policies have increased the number of referrals to the juvenile justice system for minor discipline code infractions that were once handled by educators in the schools; and

Whereas, According to the New York Civil Liberties Union (“NYCLU”), zero tolerance strategies directly send students into the “pipeline” by responding to discipline code infractions with arrests or juvenile justice referrals; and

Whereas, Further, the NYCLU also points out that schools indirectly push students toward the juvenile and criminal justice systems through increased suspensions and expulsions; and

Whereas, According to a report by the Indiana Education Policy Center entitled, “Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice,” many zero tolerance strategies are meant to send a message to students that particular behaviors will not be tolerated by punishing all offenses, even minor offenses, severely; and

Whereas, In January 2004, the New York City Department of Education ("DOE"), along with the New York City Police Department ("NYPD"), announced a new school safety initiative, in which schools that accounted for a disproportionate amount of crime were labeled as Impact Schools; and

Whereas, In addition to increased police presence, Impact Schools also employ a zero tolerance policy for school discipline code infractions; and

Whereas, According to a June 2004 DOE press release, Impact School personnel focus on "responding to even the most minor infractions of the New York City Discipline Code;" and

Whereas, The press release also reported that as a result of the zero tolerance policy, the average daily number of principal suspensions doubled, superintendent suspensions rose 12%, almost 500 students were transferred to suspension sites, and 54 students were placed in transfer schools or expelled; and

Whereas, Although the DOE and NYPD do not release the number of arrests that occur in schools, many advocates, educators and students have spoken out regarding minor discipline code infractions being treated as violations of penal law; and

Whereas, According to the NYCLU report, "Criminalizing the Classroom: The Over-Policing of New York City Schools," fighting in the hallway can be classified as an assault and being late for class can be classified as disorderly conduct; and

Whereas, As discussed in a report published by The Civil Rights Project at Harvard University and the Advancement Project, "zero tolerance policies, by their nature, do not provide guidance or instruction;" and

Whereas, The APA report also found that zero tolerance policies may promote misbehavior, make students feel more anxious and lead to higher dropout rates; and

Whereas, The negative impact of such policies is especially alarming since research shows that children of color and children with disabilities are disproportionately affected by zero tolerance policies; and

Whereas, For example, according to the American Civil Liberties Union ("ACLU"), nationally, "minority students are suspended at rates of two to three times that of other students;" and

Whereas, The ACLU has also reported that students are far more likely to be arrested at school than they were a generation ago, with many of these arrests for non-violent acts, including disruptive behavior or disorderly conduct; and

Whereas, Public school students deserve to attend schools in which they feel safe and supported by school personnel, with the opportunity to learn from their mistakes through guidance and mediation programs; and

Whereas, While serious incidents of violence deserve a serious response, schools across the country should nevertheless work to ensure that the discipline procedures in place benefit all students; now, therefore, be it

Resolved, That the Council of the City of New York urges an end to practices which foster the “School to Prison Pipeline,” a national trend in which students are being pushed out of the public school system and into the juvenile and criminal justice systems. JC, LS#3989, 11/20/2007, 11:00am