

Keeping Schools Safe While Reducing Dropouts:

Breaking the School-to-Prison Pipeline

Texas' school discipline policies, including Zero Tolerance, have a direct impact on educational attainment and dropout rates. One of the cornerstones of these policies, **Disciplinary Alternative Education Programs (DAEPs)**, have **five times the dropout rate of mainstream programs.**¹

These high dropout rates correlate with entry into the criminal justice system—resulting in a school-to-prison pipeline:

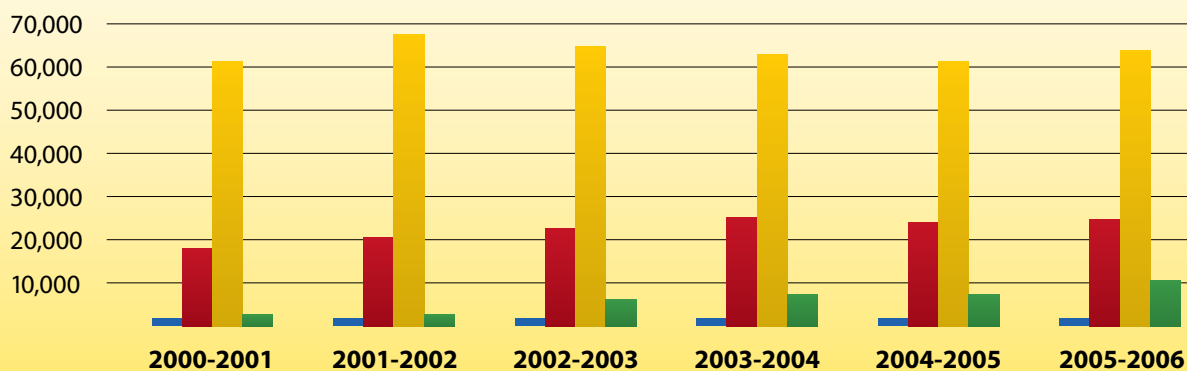
- **Before entering the Texas Youth Commission, 31% of youth were dropouts.**²
- **More than 80% of Texas prison inmates are dropouts.**³

More than 100,000 students a year are sent to DAEPs; nearly two-thirds of them are sent for non-violent behavior.⁴

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2000-2006 Statewide Discretionary vs. Mandatory DAEP Referrals



■ Mandatory Expulsions
 ■ Mandatory DAEP Referrals
 ■ Discretionary Nonviolent DAEP Referrals (i.e. Conduct, Tobacco, Truancy)
 ■ Discretionary DAEP Referrals (i.e. Gang/Fighting/Nonillegal knife)

Children as young as pre-kindergarten are sent to these alternative schools. Referrals for the past five school years show:

- At least 569 pre-kindergarten and kindergarten children⁵ have been referred to alternative schools in violation of Texas statute;⁶ and
- At least 3,118 first-graders⁷ have been referred to alternative schools.

Problems with DAEPs include:

- Overrepresentation of African-American, Latino, and Special Education students.⁸
- Poor quality of their programs.⁹
- Combining students who have committed serious offenses with students who have committed non-violent offenses; this can result in increased delinquency for both groups¹⁰ and potential victimization of vulnerable students.
- Failure to make mainstream schools safer places.¹¹

Texas can address some of these problems with the following amendments to the Education Code:

- Increase parental involvement by creating a provision for signed agreements between parents,

students, and schools establishing a plan to address the students' behavior, and amending notification requirements so that schools immediately notify parents when disciplinary action is taken.

- Include language in the TEA monitoring requirements that will alert school districts if they are at high risk for having a disproportionate number of placements of African-American, Latino, or Special Education students in DAEPs.
- Require DAEPs to follow the same requirements as mainstream schools for qualified teachers, length of school day, and amount of instruction, and requiring TEA to develop guidelines for the types of courses that DAEPs must offer.

In looking for research-based solutions to school discipline, Texas needs to look beyond policies that send children who have committed non-violent infractions of the school code of conduct to programs that promote dropout and delinquency without making our schools any safer.



ENDNOTES

¹ TEXAS EDUCATION AGENCY, 2006 COMPREHENSIVE ANNUAL REPORT ON TEXAS PUBLIC SCHOOLS (2006).

² TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE, SUBSTANCE USE AND DELINQUENCY AMONG YOUTHS ENTERING TEXAS YOUTH COMMISSION FACILITIES: 2000-2001, available at http://www.dshs.state.tx.us/sa/research/youth_delinquency00-01.pdf.

³ *Financial Costs of Not Graduating Run High*, FISCAL NOTES (Texas Comptroller of Public Accounts), Dec. 2006.

⁴ Based on data received from the Texas Education Agency. TEA data was masked to protect identifying information; actual numbers may be significantly higher.

⁵ See endnote 4.

⁶ TEX. EDUC. CODE §37.006(f). However, students younger than 10 years old may be referred to a DAEP for bringing a firearm to school.

⁷ See endnote 4.

⁸ Russell Skiba, et al, *The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment* (June 2000) (African-American & Latino children referred more often though they do not misbehave more often).

⁹ Texas Public Policy Foundation, *Schooling a New Class of Criminals*, 9-13 (March 2006), available at <http://www.texaspolicy.com/pdf/2006-03-PP-DAEP-ml.pdf>.

¹⁰ Thomas J. Dishion et al, *When Interventions Harm—Peer Groups and Problem Behavior*, AM. PSYCHOLOGIST, Vol. 54, No.9, at 755-764; Rebecca P. Ang & Jan N. Hughes, *Differential Benefits of Skills Training With Antisocial Youth Based on Group Composition: A Meta-Analytic Investigation*, SCH. PSYCHOL. REV., Vol. 31, No. 2, at 164-185 (2001).

¹¹ AMERICAN PSYCHOLOGICAL ASSOCIATION ZERO TOLERANCE TASK FORCE, ARE ZERO TOLERANCE POLICIES EFFECTIVE IN SCHOOLS? AN EVIDENTIARY REVIEW AND RECOMMENDATIONS (2006).



In collaboration with:

