

# SUPPORT SCHOOL DISCIPLINE REFORM



Girls Inc. is committed to advancing the rights and opportunities of girls and young women, with a particular focus on the needs of girls from underserved communities, girls of color, and LGBTQ+ girls. Informed by the voices of girls and working alongside them, we advocate for policies and practices that combat systemic racism, sexism, and other social and economic barriers to girls' success.

## ABOUT THE ISSUE

### Discriminatory Policies and Practices

Research shows that punitive and exclusionary discipline practices are harmful for all students, and especially for students of color, who are disproportionately subjected to such practices. **Girls of color in particular face some of the greatest barriers to educational opportunities due to racism and sexism embedded into school codes of conduct, discipline policies, and dress code policies.**

According to 2017-18 data from the Department of Education's Civil Rights Data Collection (CRDC), **Black girls nationally accounted for 11.1 percent of in-school suspensions and 13.3 percent of out-of-school suspensions, which is almost two times their share of total student enrollment of 7.4 percent.<sup>1</sup> Black girls are 5.5 times more likely than white girls to be suspended from school, and Native American girls are 3 times more likely.<sup>2</sup>** This is true even though Black and Native girls are no more likely to misbehave, and their misbehavior is no more severe than that of white girls.

Exclusionary discipline practices, like suspension and expulsion, disproportionately push girls of color out of school. They exclude girls from the classroom, increase their chances of having contact with the juvenile justice system, and threaten their long-term earning potential. This further exacerbates longstanding and widespread racial and gender inequities.

**Girls Inc. advocates for positive approaches to school discipline, like restorative justice practices, that build students' social and emotional connections to school and keep students in the classroom so they can succeed academically and otherwise.<sup>3</sup>**

### Minor, Subjective Offenses

Girls of color are suspended, expelled, referred to law enforcement, and arrested for minor, subjective offenses at a disproportionate rate, even as early as preschool.<sup>4</sup> Evidence shows that schools suspend Black girls more often than they suspend white girls for minor and subjective offenses like dress code violations, "defiance," or "disobedience," which may be informed by implicit biases and race- and sex-based stereotypes.<sup>5</sup> Suspending such behavior also fails to take into account the potential role of unaddressed trauma or mental health issues.

### Dress and Hair Codes

The cost of rigid dress codes is known all too well by girls, particularly girls with intersectional identities. Dress codes and grooming standards disproportionately affect girls, LGBTQ+ students and gender-nonconforming youth, as they often restrict students' clothing choices, imposing gendered and heteronormative notions of attire and blaming girls for distracting boys with their appearance. Additionally, dress and grooming codes often target hairstyles or headwear associated with Black culture, such as hair wraps, bonnets, Bantu knots, locs, do-rags, and hair combs, or they are enforced disproportionately against Black students. Studies have found that adults perceive Black girls to require less nurturing and less protection, to know more about sex, and to be more independent than their white peers.<sup>6</sup> **The discriminatory application of school dress and grooming codes reflect these stereotypes, and it is common for these racial and gender stereotypes to lead to unfair punishment.**

Every time a school sends a girl of color home because of what she is wearing, it objectifies her body, shames her, and puts her at risk of falling behind in school, exacerbating longstanding and widespread racial and gender disparities in graduation rates, college enrollment rates, employment rates, and future wages.<sup>7</sup> No student should miss out on educational opportunities because of a dress code or hairstyle.

1. Request for Information Regarding the Nondiscriminatory Administration of School Discipline. (U.S. Department of Education, Office for Civil Rights (OCR), 2021). <https://www.federalregister.gov/documents/2021/06/08/2021-11990/request-for-information-regarding-the-nondiscriminatory-administration-of-school-discipline>.

2. Let Her Learn: Stopping School Pushout for Girls of Color (National Women's Law Center, 2017). [https://nwlc.org/wp-content/uploads/2017/04/final\\_nwlc\\_Gates\\_GirlsofColor.pdf](https://nwlc.org/wp-content/uploads/2017/04/final_nwlc_Gates_GirlsofColor.pdf).

3. Fact Sheet: Creating Positive School Discipline (Dignity in Schools, n.d.). <https://youthlaw.org/wp-content/uploads/2017/03/Creating-Positive-Discipline-Fact-Sheet.pdf>.

4. Ibid, see 2.

5. Diane A. M. Archer-Banks & Linda S. Behar-Horenstein, Ogbu Revisited: Unpacking High-Achieving African American Girls' High School Experiences, 47 URBAN EDUC. 198, 208-09 (2012) (citing Susan Frazier-Kouassi, Race and Gender at the Crossroads: African American Females in Schools, 8 African Am. Research Perspectives 151 (2002)). See also Jamilia J. Blake et al., Unmasking the Inequitable Discipline Experiences of Urban Black Girls: Implications for Urban Educational Stakeholders, 43 Urban Rev. 90, 92-93 (2011).

6. Girlhood Interrupted: The Erasure of Black Girls' Childhood (Georgetown Law Center on Poverty and Inequality, 2017). <https://www.law.georgetown.edu/poverty-inequality-center/wp-content/uploads/sites/14/2017/08/girlhood-interrupted.pdf>

7. Ibid.

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## School-Based Law Enforcement

**Although advocates for the presence of police—or Schools Resource Officers (SROs)—in schools say SROs are meant to protect children, they can actually have the opposite effect by escalating minor disciplinary matters.** A major policy argument in favor of SROs is the need for SROs to handle active shooter situations, but **there's little to no evidence that the presence of SROs in schools prevents school shootings.**<sup>8</sup>

However, there is evidence that the presence of school-based police increases the likelihood that children, especially Black children, will be arrested for normal youthful behavior. SROs' handling of minor disciplinary infractions begins students' contact with the criminal justice system, fueling the school-to-prison pipeline and "potentially setting them up for a lifetime of collateral consequences."<sup>9</sup>

While Black boys with disabilities face the highest overall arrest rates, Black girls experience school arrests the most *disproportionately*. **Nationally, Black girls makeup 16% of the female student population but are 39% of girls arrested in school. Black girls are arrested at a rate five times that of white girls, and Black girls were at least half of female school arrests in 11 different states. Native American and Latina girls also disproportionately experience school arrests, with arrest rates 3.5 times and 1.5 times that of white girls, respectively.**<sup>10</sup>

## Violent Interactions With School Police

Nationally, 71% of U.S. public high schools deploy at least one full-time, armed, law enforcement officer.<sup>11</sup> In schools with predominantly Black and Brown youth—where SROs are highly concentrated—children are often the victims of violent and unchecked attacks by SROs themselves, many of whom are trained to enforce the criminal code rather than help foster a nurturing environment for youth. **Students of color across the country are, on average, assaulted by school police at a rate of about one assault per week.**<sup>12</sup> LGBTQ+ students have also reported facing hostile interactions with—and in some instances verbal assaults by—SROs.<sup>13</sup>

Constant policing and surveillance in a place where youth are supposed to feel safe can be trauma inducing, regardless of the intent of the officers.<sup>14</sup> Students report that the presence of police in schools leads to a poorer school climate, increased police violence and brutality, and incarceration, as well as referrals to family court and the criminal justice system.<sup>15</sup>



8. The Presence of School Resource Officers (SROs) in America's Schools (Justice Policy Institute, 2020). [https://www.justicepolicy.org/uploads/justicepolicy/documents/School\\_Resource\\_Officers\\_2020.pdf](https://www.justicepolicy.org/uploads/justicepolicy/documents/School_Resource_Officers_2020.pdf).

9. Ibid.

10. Student-to-School-Counselor Ratio 2019-2020 (American School Counselor Association, 2020). <https://www.schoolcounselor.org/getmedia/cd689f6a-252a-4e0a-ac8b-39b9b66d700d/ratios-19-20.pdf>

11. Fail, School Policing in Massachusetts (Citizens for Juvenile Justice and Strategies for Youth, 2020). <https://static1.squarespace.com/static/58ea378e414fb5fae5ba06c7/t/5f64b57d40e1a14ef6c1c468/1600435601167/SchoolSafetyPolicyReport.pdf>

12. IDRA and Partners Urge U.S. Congress to End Criminalization of Students in School (Intercultural Development Research Association: IDRA, 2020). <https://www.idra.org/resource-center/idra-partners-urge-u-s-congress-to-end-criminalization-of-students-in-school/>

13. Ibid.

14. Visit our fact sheet on Mental Health for more information on mental health and its implications for girls.

15. Research on School Security: The Impact of Security Measures on Students (National Association of School Psychologists, 2013) (citing sources).

## WHY IT MATTERS

Many schools with SROs do not have counselors, mental health professionals, or other individuals specifically trained to help students cope with stress or trauma. In fact:

**1.7 MILLION STUDENTS** are in schools with police but no counselors;

**3 MILLION STUDENTS** are in schools with police but no nurses;

**6 MILLION STUDENTS** are in schools with police but no school psychologists;

**10 MILLION STUDENTS** are in schools with police but no social workers; and

**14 MILLION STUDENTS** are in schools with police but no counselor, nurse, psychologist, or social worker.<sup>16</sup>

Schools receiving federal funding to hire more police experienced decreases in graduation rates and decreases in college enrollment rates.<sup>17</sup> The presence of SROs in schools, suspensions for minor or subjective offenses, and burdensome dress codes only compound the problems girls of color and girls with intersectional identities face, while doing little to address the trauma girls experience in their schools, relationships, families, and communities.

## WHAT POLICYMAKERS CAN DO

- Reform overly punitive and exclusionary school discipline policies and practices. **Adopt positive approaches to discipline that address the underlying causes of student behavior instead of punishing the behavior.**
- Change dress codes and hair policies that criminalize girls' bodies or hairstyles and textures commonly associated with a particular culture, race, or national origin.
- **Shift focus from school-based law enforcement to increasing the presence of mental health providers, training staff on trauma-informed practices, and implementing evidence-based programs like Restorative Justice practices or Positive Behavioral Interventions & Supports, as well as creating more social and emotional learning opportunities.**
- In places where police are in schools, make it clear that law enforcement is there to protect the building from outside threats, not to treat students like threats, and that non-violent disciplinary offenses should be handled by school administrators, not by police; ensure that officers are trained annually on implicit bias, trauma, child development, and other relevant topics.
- Ban the use of corporal punishment in schools and stop the overuse of seclusion and restraint, which disproportionately harms students with disabilities.
- Increase transparency and accuracy in schools' annually reported discipline data and encourage schools to implement data systems that track, identify, and publicly report (promptly) any discipline disparities based on race, ethnicity, sex, gender identity, sexual orientation or disability.
- **Ensure that educators and students receive race and gender-responsive, trauma-sensitive, and culturally competent training to properly identify symptoms of trauma and appropriately respond to victims and connect them with services to address their needs.**
- Advocate for legislation and programs that help youth who have experienced trauma with their social, emotional, psychological, and developmental needs.

16. Cops and No Counselors: How the Lack of School Mental Health Staff is Harming Students (ACLU, 2019). [https://www.aclu.org/sites/default/files/field\\_document/030419-acluschooldisciplinereport.pdf](https://www.aclu.org/sites/default/files/field_document/030419-acluschooldisciplinereport.pdf)

17. 2020 COPS Office School Violence Prevention Program (U.S. Department of Justice, Office of Community Oriented Policing Services, 2020). [https://cops.usdoj.gov/pdf/2020AwardDocs/svpp/Post\\_Award\\_FactSheet.pdf](https://cops.usdoj.gov/pdf/2020AwardDocs/svpp/Post_Award_FactSheet.pdf)