

# A Tale of Two Pipelines: New York City and Montana



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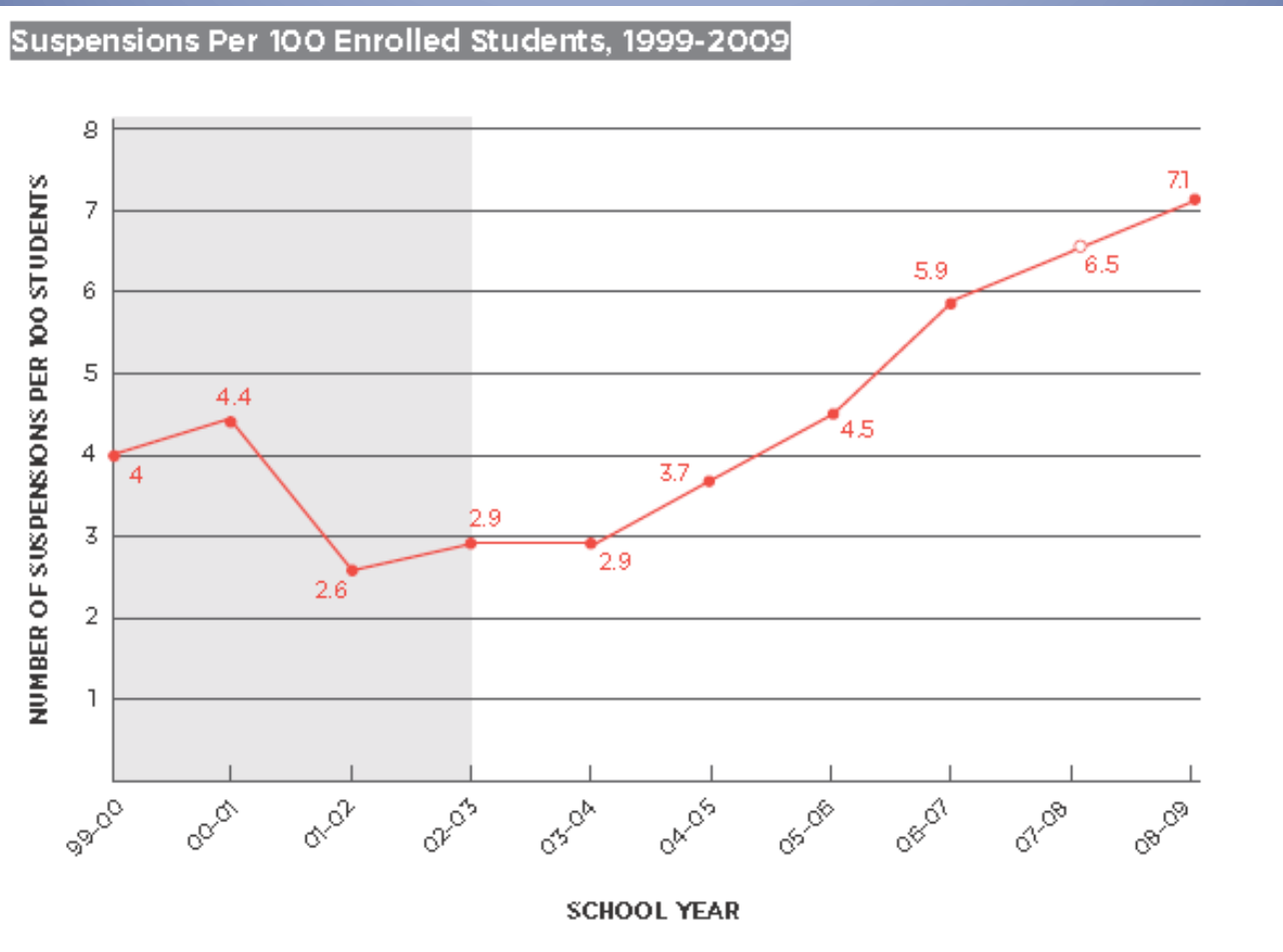
[mainetooregon07.blogspot.com](http://mainetooregon07.blogspot.com)

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# Foundations of the Pipeline

- The school-to-prison pipeline refers to a variety of systems, ostensibly designed to serve our nation's youth, that relocate the most at-risk schoolchildren out of classrooms and into the juvenile, and, ultimately, **criminal justice systems**.
- But are there **other outcomes** of the pipeline?

# New York City Suspensions on the Rise



# Black Students in New York City are Particularly Affected by School Exclusion

## BLACK STUDENTS ARE SUSPENDED AT DISPROPORTIONATE RATES

Although suspensions and expulsions negatively affect all children, black children bear a disproportionately heavy burden of exclusionary discipline practices. In New York City, black children are overrepresented in every facet of the suspension system, accounting for approximately 33 percent of the student population and 53 percent of suspensions over the last 10 school years.

### Average Student Enrollment by Ethnicity, 1999-2009



White - 15%



Asian - 13%



Latino - 39%



Black - 33%

### Average Student Suspensions by Ethnicity, 1999-2009



White - 8%



Asian - 4%



Latino - 35%

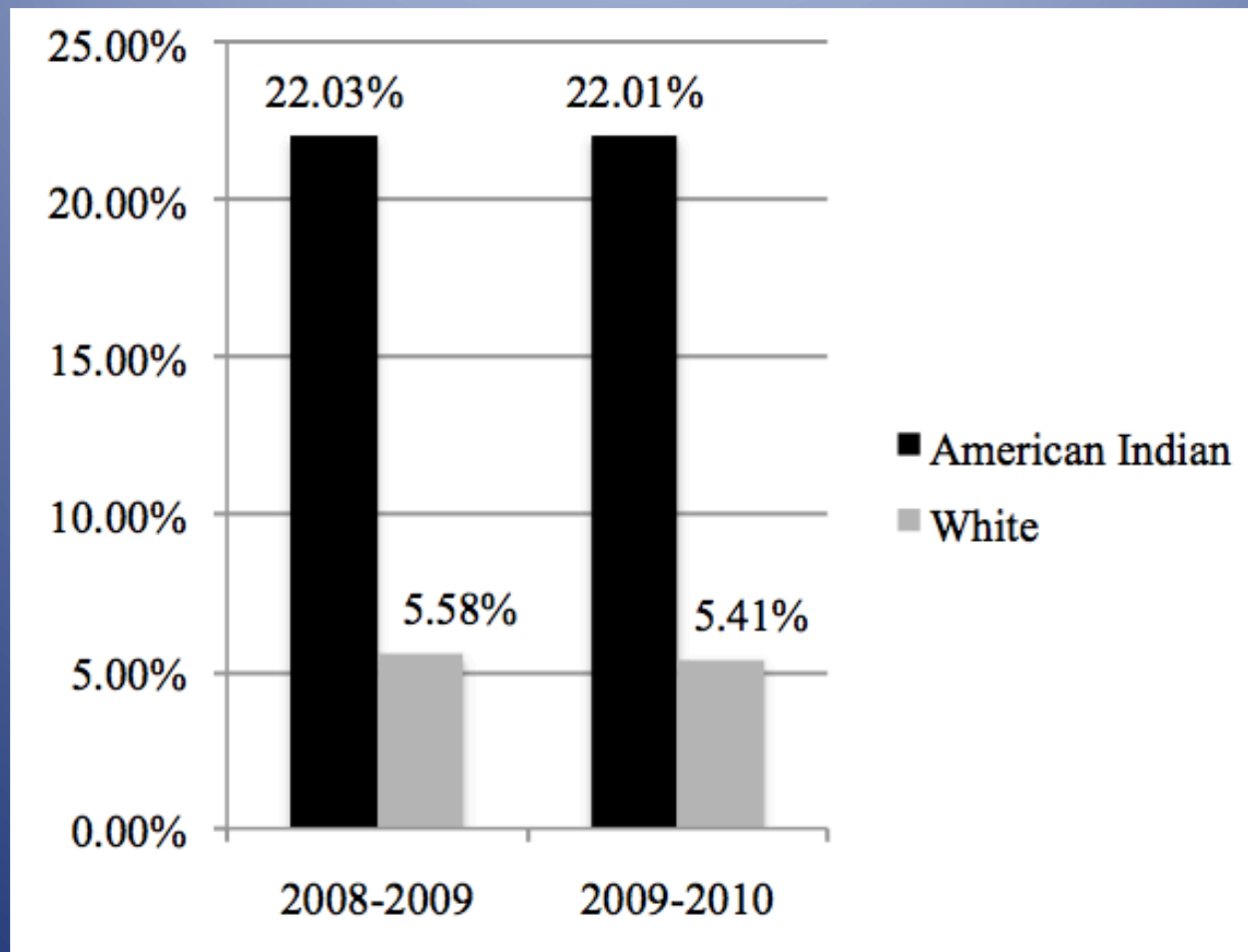


Black - 53%

# American Indian Education in Montana

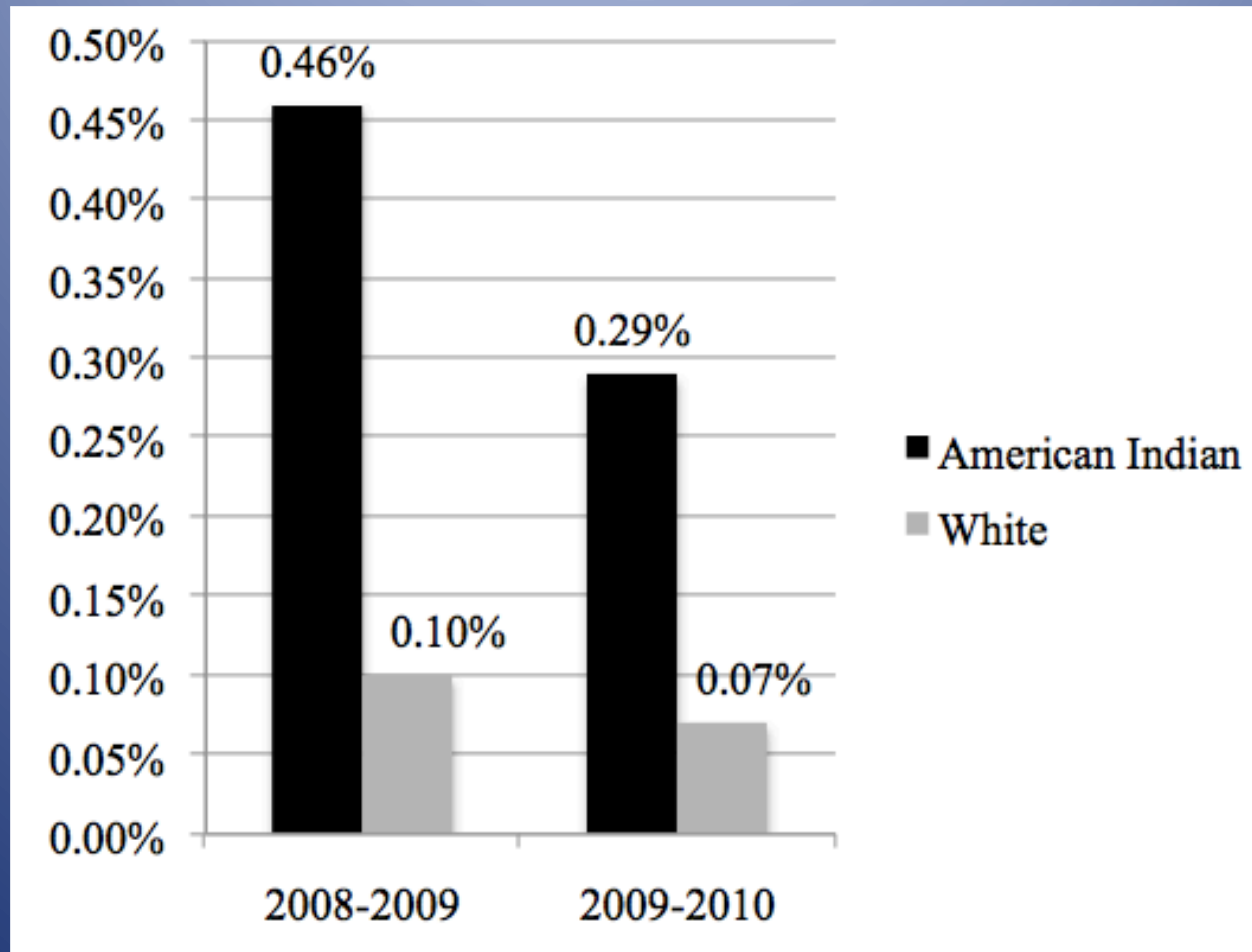
- American Indians are the largest minority group in Montana
- Public education of American Indians in the U.S. has a legacy of abusive and assimilationist practices
- 96% of American Indian students in Montana attend public schools operated by the state, where the vast majority of teachers and administrators are white
- There are only two tribal-run public schools in Montana

# Montana Rates of Suspension by Race



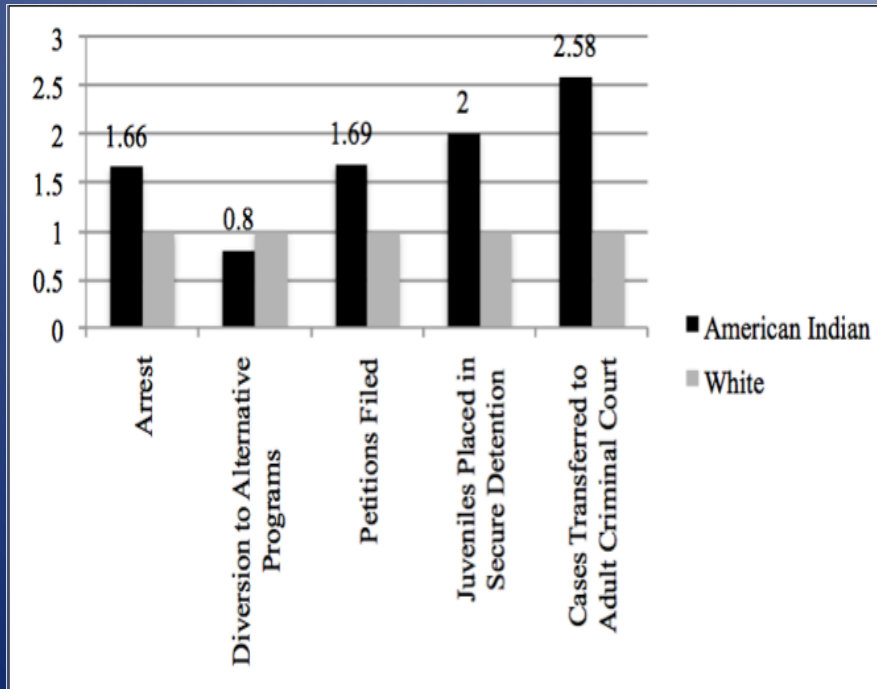


# Montana Rates of Expulsion by Race

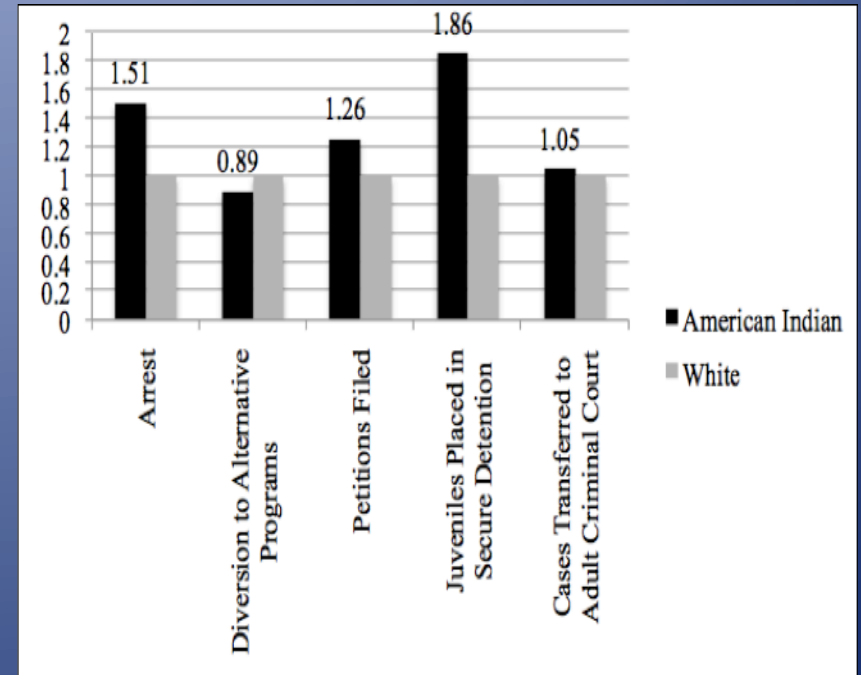


# Montana Rates of Involvement in the Juvenile Justice System (White vs. American Indian)

2009 Rates



2010 Rates





# Fort Peck Reservation



- Very rural and remote
- Assiniboine and Sioux Tribes
- 45% of residents live below the poverty level, including half of all children



# Self Harm Among Fort Peck Tribal Youth

- **16%** of American Indian high school students on Montana reservations have **attempted suicide**.
- From 2009-2011, **dozens of middle and high schoolers on the Fort Peck reservation attempted suicide out of under 300 children total**.
- At least ten completed suicide in 2010.
- Because of a lack of mental health resources available, children who attempt suicide are given a juvenile record and locked up to keep them from self-harm.

# Is there a school-to-suicide pipeline?

- Parents report a troubling link between zero tolerance exclusionary policies in public schools on Fort Peck and their children's subsequent suicide attempts
- Is this a school-to-suicide pipeline?

# Legal Remedies

- State Constitutional Right to Education?
- “Different Treatment” Discrimination Claims
  - Requires proof of discriminatory intent and evidence that certain groups incur systematically harsher punishments
  - A number of lawsuits have been brought under this theory with some success
  - DOJ Civil Rights Division suggests they may also pursue “disparate impact” claims
- Challenges to inadequate procedural protections afforded prior to suspensions and expulsions

# Alternatives to Suspension

- Increase mental health supports and services
- Screening, mentoring and counseling students at risk of violence
- Anger management programs
- Positive Behavior Intervention and Supports (PBIS)
- Restorative justice programs



# Solutions Beyond the Law

