Psychologists and Mental Health Clinicians Stand Against the School-to-Prison Pipeline: An Official Statement of the Michigan Psychological Association

In 2020, the nation learned about *Grace, an African American student in Oakland County who experienced harsh punishment (incarceration) for a minor (but very common) behavior--not completing her homework, a "violation" of her probation (see Propublica). *Grace's experience brought national attention to the "School-to-Prison Pipeline," an unjust system of school policies (e.g., zero-tolerance) and practices, which results in primarily students of color, boys, and those with disabilities: being removed from general education; suspended or expelled; placed in more restrictive learning environments (e.g., the juvenile justice system); or dropping out of school, often leading to involvement in the criminal system (NAACP LDF, 2018; Wald & Losen, 2003).

Zero-tolerance policies are a major contributor to the maintenance of the school-to-prison pipeline. These policies are overly punitive and exclusionary (e.g., suspensions, expulsions) which often criminalize school-based behavior, such as absenteeism (i.e., truancy) and lack of work completion. Not only are zero-tolerance practices harmful for students, they also perpetuate disproportionality. Specifically, boys, students who have a disability, students living in poverty, LGBTQ+ students, and Black, Indigenous, and other students of color are disproportionately affected by the school-to-prison pipeline in that they are over-represented in school suspensions, expulsions, and involved in the criminal justice system more than would be expected given their population size. According to the United States Department of Education Office of Civil Rights (2012), 74% of students expelled are male, students with disabilities are twice as likely to be suspended than students without disabilities, and Black/African American students are 3.5 times more likely than white students to be expelled or suspended. This is problematic, as suspensions greatly increase students' risk of dropping out of school and becoming involved in the justice system (Bird & Bassin, 2020).

It is important to emphasize that disproportionality is not due to actual differences in children's behaviors. Rather, they are linked to racism, implicit bias, and white privilege in the education system, which may be experienced as early as preschool. Black children as young as 4-years-old are subject to bias and criminalization by professionals, including their teachers. For example, when asked to watch for "challenging behavior," preschool teachers predominately watched Black children, especially boys (Gilliam et al., 2016). The same study also found that preschool teachers rated identical challenging behaviors as more severe for Black children, relative to white children. As such, implicit bias and racism impacts Black children early in their education (i.e., preschool), and may also contribute to the increased risk for juvenile incarceration.

Compounding the challenge of dismantling the school-to-prison pipeline are the systemic inequities in access to school-based resources and mental health care in Michigan. Indeed, teachers and school systems are low in resources (Le, 2016) and have often not been given training in evidence-based classroom behavior management (Begeny & Martins, 2006; McGoey et al., 2014; Scheeler et al., 2016). Given these lack of resources, schools often invest in school-based police officers instead of mental health clinicians (ACLU of Michigan, 2009; Pigot et al., 2018). In Michigan, 24% of schools have a police officer but no psychologist, counselor,

or social worker (ACLU, 2019). Indeed, nearly 1 in 4 school-based law enforcement officers express that they have to take on the role of a social worker (Makenna et al., 2016). Ending the school-to-prison pipeline will require strategies to build supportive and healthy school environments (i.e., mental health care providers working alongside school staff). Enhancing school-based mental health care is particularly challenging. School and out-of-school psychologists and counselors are inundated with need. The shortage of school psychologists, clinical psychologists, and other mental health care providers is massive (NASP, 2017; Thomas et al., 2009). To that end, mental health should be prioritized in school budgets, and efforts to institute a system that supports a mental health response (and not a law enforcement response) to youthful behaviors is critical to stopping the school-to-prison pipeline.

Although legislation supporting restorative justice in schools has been enacted (Michigan Legislature, 2017), the lack of resources available to schools precludes successful implementation. Efforts are moving in the right direction, however, with many educators and school mental health staff aware of these issues. The challenge remains that educators and school mental health staff, despite their best efforts to provide a supportive education for children, find the extent of their reach limited given the lack of resources available to schools.

Given the harm of the school-to-prison pipeline to students who have a disability, students living in poverty, LGBTQ+ students, and Black, Indigenous, and other students of color, we call for action to dismantle the school-to-prison pipeline. Given the barriers to effectively ending this pipeline, we emphasize that change must occur at multiple levels and across systems. <u>Taken together, we affirm that:</u>

1. School-based behaviors should not be criminalized. Typical or youthful behaviors (e.g., running away from home), as well as school-based behaviors (e.g., absenteeism, non-completion of homework or schoolwork) are normal behaviors that can be part of typical development and can be a response to trauma or environmental stressors. There is no evidence-based or objective reason to categorize these behaviors as criminal or to react to these normative behaviors with punitive discipline (e.g., suspension, expulsion). Labeling these behaviors as criminal puts youth at risk for later behavioral concerns and involvement with the justice system. As such, **these school-based behaviors should not be criminalized.**
2. Access to high-quality, evidence-based and culturally-informed mental health care should be available to all youth. Further, given that structural racism exists within the mental health system, it is also critical that mental health organizations and providers continue to work on their own implicit biases, and take other steps towards becoming anti-racist.
3. Institutions responsible for the education of youth and youth justice should have access to the proper training and resources to implement evidence-based and culturally- and developmentally-informed best practices.
4. Emphasis within, and across, systems should be on collaborative communication among school systems, mental health care providers, and those involved with youth justice.

<u>Recommendations to Address the School-to-Prison Pipeline</u>

<u>School-based recommendations</u>

      Zero-tolerance policies and practices are known to be harmful to students, especially students who are male, have a disability, and/or are a Black, Indigenous, or Students of Color (American Psychological Association Zero Tolerance Task Force, 2008). <u>MPA opposes zero-tolerance practices and urges schools, administrators, and policy-makers to enact evidence-based and equity-promoting practices, such as Positive Behavioral Interventions and Supports (PBIS), Social Emotional Learning (SEL) curricula, and Restorative Justice (RJ)</u>. Effective implementation, informed by a racial equity lens and framework, must include members of the school community, including staff, teachers, parents, and students and will require long-term training in order to change the school climate and culture. **As such, MPA strongly urges resource allocation to support training, coaching, and ongoing monitoring of PBIS, SEL, and RJ implementation.** We urge school systems to partner with researchers and universities to: (1) improve data collection systems to identify trends in restorative justice practices and allocation of resources and (2) document the process and evaluate whether interventions are effective. These University-Community-School partnerships will be critical to establish whether and how the recommendations herein are being implemented.

<u>Healthcare-based recommendations</u>

      MPA urges legislators to support state and federal legislation that will increase the mental health provider workforce and reduce the provider shortage. **Mental health professionals need to be incorporated into the school setting in order to address youthful, non-criminal, behaviors in our schools**. Similarly, training initiatives to improve classroom behavior management and school system implementation of restorative justice practices is critical. **Mental health concerns require mental health action (not criminalization).**

<u>Juvenile Justice recommendations</u>

      Although access to mental health care and supportive services should be available to all youth, at present, juvenile justice is sometimes the first service access point for youth who are struggling. **Yet, juvenile justice involvement alone does not and should not constitute a treatment program for children's mental health concerns; decisions made about a child's well-being should not solely come from the juvenile justice system.**

      According to the National Center for Youth Opportunity and Justice, about 70% of youth involved in juvenile justice have at least one diagnosable mental health or substance use condition, almost two-thirds experience multiple conditions, and at least 75% have experienced traumatic victimization. In the detained population, this becomes 90%, with 55% experiencing 6 or more trauma exposures. To stop the school to prison pipeline at this access point, it is critical that all staff and institutions responsible for the care of youth have training in mental health, trauma, and complex trauma, and that they are able to utilize best practices and support wellness in their interactions with youth and families. Further, it is essential that juvenile justice adjudications and interventions are individually tailored via a comprehensive assessment, which

is culturally- and community-informed, strength based, and grounded in current research. Some recent, promising developments in juvenile justice include: diversion to mental health and other treatment dockets that partner with the youth's family and community and meet often to review progress; community-based and trauma-informed clinical and behavioral programming; educational advocacy; and incentive structures that reward progress and dismiss charges/lock records when programming is successfully completed. We hope that the recent development of the Task Force on Juvenile Justice Reform (Executive Order No. 2021-6; https://www.michigan.gov/whitmer/0,9309,7-387-90487-564315--,00.html), created by Governor Whitmer, will incorporate these and the following recommendations.

Multi-system recommendations

The aforementioned recommendations highlight the need to not rely on law enforcement or criminal justice resources, but to fund and support school-based, healthcare-based, and multi-system resources, which are interdependent on one another. School-community-home partnerships, informed by a racial equity lens, should also be formed and supported across Michigan counties. Funding and training to foster anti-racist collaborative partnerships, among school systems, mental health systems, community members, and youth justice could reduce the chances that situations like *Grace's happen again. We strongly endorse close coordination and communication across systems of influence in a child's life. For example, an alliance between community mental health and school personnel could help remedy challenging school-based behaviors that require mental health care. Of course, these alliances need to work with community and family members to facilitate coordination and appropriateness of treatment.

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Additional Resources

LGBTQ (and intersecting identities) & Pipeline:

https://www.sccgov.org/sites/bhd/info/Documents/LGBTQ%20Resources/O4MH/o4mh-schoolto
prisonpipeline-factsheet-00-00-00.pdf

Michigan's History with Zero Tolerance:

https://www.csgmidwest.org/policyresearch/0217-school-discipline.aspx

Michigan Legislation on Restorative Practices:

https://www.bridgemi.com/guest-commentary/beyond-suspension-or-expulsion-restorative-practi
ces-more-thoughtful-discipline

https://www.michigan.gov/mde/0,4615,7-140-74638_72831-358881--,00.html

Michigan School Discipline Guidelines January 2020:

https://safesupportivelearning.ed.gov/sites/default/files/discipline-compendium/Michigan%20Sc
hool%20Discipline%20Laws%20and%20Regulations.pdf

Michigan Student Advocacy Center:

https://www.studentadvocacycenter.org/rethink-discipline-toolkit/

National Association of School Psychologists (NASP)'s framework on safe and successful
schools and the use of school resource officers:

https://www.nasponline.org/resources-and-publications/resources-and-podcasts/school-climate-s
afety-and-crisis/systems-level-prevention/a-framework-for-safe-and-successful-schools

School to Prison Pipeline Commentary from Michigan Bar Journal:

http://www.michbar.org/file/barjournal/article/documents/pdf4article3570.pdf

The Color of Justice: The Landscape of Traumatic Justice: Youth of Color in Conflict with the Law:

Cancio, R., Grills, C. T., and J. García. (2019). The Color of Justice: The Landscape of Traumatic Justice: Youth of Color in Conflict with the Law. The Alliance of National Psychological Associations for Racial and Ethnic Equity.

https://justiceroundtable.org/resource/the-color-of-justice-the-landscape-of-traumatic-justice-youth-of-color-in-conflict-with-the-law/

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