

August 2016

Prison Bars On Classroom Doors

Cornelius Lee

Follow this and additional works at: <https://via.library.depaul.edu/jsj>

 Part of the [Civil Rights and Discrimination Commons](#), [Law and Society Commons](#), [Legislation Commons](#), [Public Law and Legal Theory Commons](#), and the [Social Welfare Law Commons](#)

Recommended Citation

Cornelius Lee, *Prison Bars On Classroom Doors*, 9 DePaul J. for Soc. Just. (2016)
Available at: <https://via.library.depaul.edu/jsj/vol9/iss2/4>

This Article is brought to you for free and open access by the College of Law at Via Sapientiae. It has been accepted for inclusion in DePaul Journal for Social Justice by an authorized editor of Via Sapientiae. For more information, please contact wsulliv6@depaul.edu, c.mcclure@depaul.edu.

PRISON BARS ON CLASSROOM DOORS

By Cornelius Lee

Black Boy Bad

I kneel down to get on his level-
to understand the world from his perspective: too low to understand how high he
can go.

his smile, beautifully flawed, reflects every bottle, every broken promise, every
shelter...

“Do you think you’re good or bad?” I ask.

he answers “bad” because it’s easier than talking about the needles, the fights, his
hopes...

he answers bad because he has never been ask “Why is he good?”

he answers bad because bad is boy

bad is black

bad is black boy

for a moment, I imagine him without the weight of his mother’s choices on his
shoulders...

he runs happy and free as little boys should be

the sun gliding through the maple-drenched air above him--

decorating the land with spotlights of gold

explosions erupting in the pupils of his eyes

sunset runs behind him, picks him up, and holds him tighter than he’s ever been
held before

he begins to dance until the earth shakes

the rumble of the land matches the beats his feet make as his heart leaps through
them

giving energy to earth, he sits

his sweat numbs the blades of grass below him

the pulse that runs through his palms meets the soil with gratitude and stillness

immediately, without will, I begin to cry—

feeling guilty that at a quarter of my age his tears weigh 50 pounds more than mine,
but they are not heavy enough to break the boundaries of society’s barricades

they are not heavy enough to keep his hand from hitting her or to one day keep
his

own from hitting her

they are not heavy enough.....

Prison Bars on Classroom Doors: how caustic behavior policies are impacting
today’s black male students

What is the problem?

There are a disproportionate number of African American men incarcerated in our country, which is the by-product of systematized oppression and discrimination engrained in the fabric of our country's legal foundation. This problem did not start with the image we constantly see of downtrodden, disenfranchised men behind steel bars; in fact, this problem's seed is incubated in the walls of our schools. According to the American Civil Liberties Union, the school-to-prison pipeline refers to "the policies and practices that push our nation's schoolchildren, especially our most at-risk children, out of classrooms and into the juvenile and criminal justice systems."¹ Constructs of power and authority are twisted and no longer serve the safety of students, which exposes minority scholars to draconian behavior policies that adversely affect their own self-worth, and establishes paradigms of defiance against a system that fears and refutes their power. Sadly, this 'defiance' is cultivated in our schools and is exactly the bait and catch that lands many black men in prison.

School reform is a hot topic in our country's current political landscape, especially in the wake of the newly overhauled No Child Left Behind ("NCLB") legislation. NCLB held schools accountable for producing qualitative results. For many urban districts, the data was extremely sobering because, when disaggregated, the data uncovered a large gap in the academic performance of black children from low-income backgrounds and their more affluent white peers. In addition, school quality was based on Adequate Yearly Progress (AYP)². According to an Education Week article, Adequate Yearly Progress, "under NCLB, AYP is used to determine if schools are successfully educating their students."³ This meant schools were held accountable for test scores, and schools thought the best way to achieve higher test scores was to ensure students are compliant while learning versus being genuinely engaged in rigorous, life-applicable content. Many charter schools thrive under the data-driven cloud NCLB cast upon American school systems. In an effort to meet AYP requirements, schools have adopted models of academics and discipline that are constricting children's creativity as well as stifling their individual freedoms. This led to an increase of 'no excuses' turnaround and charter schools.⁴ In her Atlantic article, How Strict is too Strict, Sarah Carr explains, "a growing array of critics are concerned that the no-excuses approach more effectively contributes to very different results: the way to prison rather than to college—that the harsh discipline is a civil-rights abomination, destined to push too many kids out of school and into

¹ Definition found on the American Civil Liberties home page <https://www.aclu.org/fact-sheet/what-school-prison-pipeline>

² Title I of NCLB Act of 2001

³ Editorial Projects in Education Research Center. (2011, July 18). Issues A-Z: Adequate Yearly Progress. Education Week. Retrieved Month Day, Year from <http://www.edweek.org/ew/issues/adequate-yearly-progress/>

⁴ Turnaround school is a district school that is usually taken over by a contractor of the district in hopes of improving quality metrics tied to AYP. Charter schools and public schools that are not under district control—they are usually managed by Charter Management Organizations, which can set different rules than district schools

trouble with the law.”⁵ In a 2014 Dear Colleague letter, the U.S Department of Justice and U.S Department of Education shared reports from the Civil Rights Data Collection (CRDC), that revealed, “students of a certain racial or ethnic groups tend to be disciplined more than their peers.”⁶ The letter goes on to correlate discipline policies with incarceration by sharing, “over 50% of students who were involved in school-related arrests or referred to law enforcement are Hispanic or African-American. The increasing use of disciplinary sanctions can contribute to what has been termed the school to prison pipeline.”⁷

The new era of school reform is propagating a damaging tone—an atmosphere characterized by fear, compliance, and order. As Samina Hadi-Tabassum writes in *Why Do Some Schools Feel like Prisons*,

“when you enter these turnaround schools, there is often an eerie silence. You never hear children's voices in the hallways. Rather, you see lines of African-American children crossing the school with their hands behind their backs or their fingers pressed against their lips to indicate silence, and their eyes always facing front.”⁸

Hadi-Tabassum’s point illustrates the similarities between prison behaviors and how children are treated in schools, the very place that is supposed to make them feel valued and respected. In environments like this, students have internalized submission, which negates the promise of these schools: to provide a quality “structured” education that will ensure students’ success.⁹ Some black students are often admonished as “acting like animals” when they express themselves in ways that their mostly white teachers deem appropriate.¹⁰

The consequences are dire when students do not comply and obey. Michael Thompson, Director of the Justice Center at the Council of State Governments, conducted a study in Texas that “linked disciplinary actions to lower rates of graduation and higher rates of later criminal activity and found that minority students were more likely than whites to face the more severe punishments.”¹¹ This Texas study launched an investigation led by the Department of Justice into school

⁵ Carr, S. (2014, November 14). How Strict is Too Strict? *The Atlantic*. Retrieved from <http://www.theatlantic.com/>

⁶ Dear Colleague Letter <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.pdf>

⁷ U.S Department of Justice and Department of Education. *Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline*. Washington: Civil Rights Division and Office for Civil Rights, 8 Jan. 2014.

⁸ Hadi-Tabassum, S. (2015, January 7). Why Do Some Schools Feel Like Prisons? *Education Week*. Retrieved from www.edweek.org.

⁹ *ibid*

¹⁰ *ibid*

¹¹ New York Times article School Discipline Study Raises Fresh Questions by Alan Schwarz

discipline procedures. The aforementioned Dear Colleague letter uncovered a systemic discipline problem plaguing schools across the country.

This problem stems from the perception that order and control equate to academic success for black and brown students. However, there is a dearth of evidence that correlates stringent behavioral policies to better academic outcomes for *any* student. In an evolving society where Eurocentric, hegemonic patriarchal constructs are constantly being challenged, we must stop supporting the fallacy that scholars have to ascribe to ideologies that assert obedience and conformity are levers of success. We cannot continue to use this lie as a carrot to bait kids into learning, and then chastise them when they do not fit an inflexible mold.

Dr. Virginia Lea, an Associate Professor of Multiculturalism at the University of Wisconsin-Stout, explains, the “the tacit acceptance of dominant white norms and privileges” is “racism.”¹² The teaching field is mainly white although minority students have become a majority in our country’s public schools.¹³ With this, it is imperative that white values do not become the norm for minority students. When this happens, civil liberties for students become lost in a sea of good intentions. An exertion of power to maintain control should not be the primary factor that undergirds our schools’ cultural infrastructure. Rather, American schoolhouses should be beacons of empowerment where our most fragile members of society are equipped with the confidence and tools to navigate a world that is already stacked against them.

The first step to ameliorate this problem begins with ensuring the people in front of children have a clear understanding of their own identify and the identify of the students. Additionally, teachers, principals, and other school personnel have to adapt to an asset-based way of thinking about students, despite the cultural and racial differences between school staff and students. Leaders of schools systems can only begin to actualize empowerment if they can differentiate between power and purpose: why does education exist, and to whom does it benefit? These should be constant questions driving the decisions for minority students.

Although addressing this issue requires a multifaceted and complex process, schools may begin the process by implementing general considerations such as creating welcoming and encouraging environments for students of color. Many students of color, from communities battling varying degrees of destitution and violence, experience trauma. Charter Schools and turnaround schools typically set up shop in these neighborhoods. However, they negate the fact that several years of learned behavior cannot be undone with a command to tuck in a shirt, stand silently in a straight line, and never talk in the hallways. Instead of punitive behavior policies, schools can focus on social and emotional development. A Social and Emotional

¹² Definition comes from Constructing Critical Consciousness by Virginia Lea

¹³ National Center for Education Statistics Enrollment Report
https://nces.ed.gov/programs/digest/d13/tables/dt13_203.50.asp

Learning (SEL) Research Brief from How Youth Learn describes SEL as a “non-punitive approach [that] addresses conflict resolution creatively through practices like peer mediation, peer juries, peace circles and restorative justice.”¹⁴ SEL helps students identify and develop skills of self-regulation, maintaining and cultivating healthy relationships, and many other positive social functioning skills students need to feel valued and respected.¹⁵ If students are bombarded with positive messages that negate the nefarious stereotypes and adverse life circumstances, then they will not internalize “deviance” as their primary mode of operation. Ultimately, schools’ should focus on creating spaces of belonging versus barricading minority children’s futures with bars.

¹⁴ Social Emotional Learning Research Brief

http://www.howyouthlearn.org/research_social&emotional_learning.html

¹⁵ How Youth Learn: A Portfolio to Inform and Inspire Educators, Students, Parents & More -

http://www.howyouthlearn.org/research_social&emotional_learning.html#sthash.VB3lrphe.dpuf