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D I F F E R E N C E S I N D I S C I P L I N A R Y C O N S E Q U E N C E F O R T E X A S M I D D L E S C H O O L B O Y S A S A F U N C T I O N O F E T H N I C I T Y R A C E A N D E C O N O M I C S T A T U S

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Differences in Disciplinary Consequence for Texas Middle School Boys as a Function of Ethnicity/Race and Economic Status

Christopher Eckford ^α & John R. Slate ^σ

Abstract- Examined in this study was the degree to which differences were present in Juvenile Justice Alternative Education Program (JJAEP) placements for Grade 7 and 8 boys in Texas as a function of their ethnicity/race and economic status. Texas statewide middle school discipline data were obtained from the Texas Education Agency Public Education Information Management System on all boys in the 2010-2011 school year. Inferential statistical procedures revealed the presence of statistically significant differences in JJAEP placements for boys in both Grades 7 and 8 as a function of their economic status and ethnicity/race. In both Grade 7 and Grade 8, Black boys had statistically significantly higher percentage of JJAEP placements than their White counterparts, 3 to 4 times higher. For Hispanic boys in Grades 7 and 8, they had a JJAEP placement rate that was 2 to 3 times higher than the JJAEP placement rate of White boys. Additionally, boys who were economically disadvantaged had statistically significantly higher percentage of JJAEP placements than did boys who were not economically disadvantaged, 2 to 3 times higher. Implications of the findings are discussed and suggestions for further research are made.

Keywords: *economically disadvantaged, expulsion, juvenile justice alternative education program (JJAEP), school-to-prison pipeline, white, hispanic, black.*

I. INTRODUCTION

The overrepresentation of Black and Hispanic boys in the exclusionary discipline consequences of suspensions and expulsions is not a new finding (Fenning & Rose, 2007). Young men and boys of color are disproportionately affected by suspensions and zero-tolerance policies in schools (U.S. Department of Education, 2014). Suspensions, expulsions, and other disciplinary practices that exclude students from school often contribute to students having poor grades, being disruptive, and being exposed to negative life experiences that further lead them toward a life of crime. Students who are suspended or expelled from school are often stigmatized in ways that compel educators and peers to view them as “problem students,” a perception that is difficult to change (Kennedy-Lewis, Murphy, & Grosland, in press; Weiss man, 2015). According to Vox Media (2015), 31% of students who were suspended or expelled were likely to repeat one or more grades, drop out of school, and/or become involved in the juvenile justice system. Frazier, Bishop,

and Henretta (1992) agreed that certain individual characteristics, including gender and socioeconomic status, as well as certain community characteristics, such as poverty, urbanization, and income inequality, increase the likelihood that minority youth will come in contact with the juvenile justice system.

In a report by the Council of State Governments Justice Center (2011), repeated suspensions and expulsions predicted poor academic outcomes. Documented in the report was that only 40% of students disciplined 11 times or more graduated from high school during the study period, and 31% of students disciplined one or more times repeated their grade at least once. In another report by the U.S. Department of Education Office for Civil Rights (2014), the 2011-2012 data showed that Black students were suspended or expelled at three times the rate of their White classmates, and 6% of Black students were subject to exclusionary discipline, in comparison to 5% of White students. Also in their analysis, the Council of State Governments Justice Center (2011) documented that in-school suspensions ranged from a single class period to several consecutive days, and out-of-school suspensions averaged two days per incident; students were assigned to District Alternative Education Program for an average of 27 days, and students serving in Juvenile Justice Alternative Education Program (JJAEP) were off the school campus for an average of 73 days.

Another nationwide matter of growing concern to parents, advocates, and educators is that the presence of police officers in public schools results in the criminalization of disruptive behavior. Whereas other researchers (Skiba & Rausch, 2006) have focused on zero-tolerance policies and the overuse of out-of-school suspension and expulsion as important factors in contributing to the “School-to-Prison Pipeline,” Dahlberg (2012) reported additional problems of arrest, in particular the use of arrest to address behaviors that would likely be handled in the school, by school staff, if not for the presence of on-site officers. Teachers and school administrators relied on School Resource Officers (Texas School Safety Center, 2013) to be more than just a presence on campus. School Resource Officers were often used to help manage student behaviors that, in most cases, did not require the assistance of law enforcement. When students were

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removed from the classroom setting to be taken to jail for behavior that could be addressed with school discipline measures, their academic opportunities are substantially limited. Dahlberg (2012) reported that a large percentage of school-based arrests were for “public order offenses”—conduct that might be disruptive or disrespectful, but that most people would never consider criminal. Consistent with other researchers, Dahlberg (2012) established that students of color and students with disabilities were disproportionately subject to school-based arrests, and in particular to arrests based on disruptive behavior, not criminal activity. According to the Harvard Law Review (2015), juvenile incarceration makes a person more likely to end up in the adult criminal justice system later. In a study of 35,000 juvenile offenders, the authors of the Harvard Law Review (2015) established that offenders who were incarcerated as juveniles were twice as likely to go on to be locked up as adults, as those who committed similar offenses and came from similar backgrounds but were given an alternative sanction or simply not arrested. “A student who becomes involved in the criminal justice system costs the state much more money than a student who is sitting in a classroom. These findings are an important addition to existing research examining the “school-to-prison pipeline” (Skiba, Aredondo, & Williamson, 2014, pp. 554-555) whereas students are being frequently arrested for minor disruptive behavior that could be better addressed by school administrators, particularly in school districts that rely heavily on police officers in their schools.

a) *Statement of the Problem*

Inequities in school discipline assigned to Black students have been a long studied phenomenon. Racial disparities in school discipline have been noted as important predictors of life opportunity disparities for children as they transition through adulthood (Skiba et al., 2011; Walden & Losen, 2003). According to the National Center for Education Statistics (2010), the nationwide average suspension rate for Black students is 13%; the highest rate for all ethnic/racial groups. Alarming as it sounds, Black and Hispanic students have been disproportionately assigned school disciplinary consequences for almost half a decade compared to their White and Asian counterparts (Fenning & Rose, 2007; Gregory, Skiba, & Noguera, 2010; Hilberth & Slate, 2014; Jones et al., 2014, 2015; Shore, 2012; Skiba et al., 2011). School districts in the South alone were responsible for 50% of Black student expulsions from public schools in the United States, with Black boys comprising of 44% of those expulsions, making them the highest among all racial/ethnic groups (Smith & Harper, 2015). Noting these statistics, inequitable school disciplinary practices continue to remove students of diverse racial, ethnic, and

economically disadvantaged backgrounds from their school setting, further contributing to the vast achievement gap and increasing their exposure to the school-to-prison pipeline.

b) *Purpose of the Study*

The purpose of this study was to determine the extent to which differences might be present in the proportion of Black, Hispanic, and White Grade 7 and 8 boys were assigned to a juvenile justice alternative education program placement in Texas public schools. Specifically examined was the influence of student ethnicity/race and economic status on school assignment of JJAEP placements for Black, Hispanic, and White students.

c) *Significance of the Study*

Considering the research that exists on the correlation between juvenile justice alternative education program placements and the school-to-prison pipeline, information acquired from this study may be useful to educational leaders and policymakers in Texas. In the course of analyzing statewide data within the three student groups, the effect of being removed from a public school setting to a juvenile based alternative education setting may be revealed. If being assigned to a juvenile justice alternative education program is associated with ethnicity/race or economic status, educational leaders might need to re-evaluate school discipline protocols and procedures.

d) *Research Questions*

The following research questions were addressed in this investigation: (a) What is the difference in the percentage of boys by their ethnicity/race who receive a Juvenile Justice Alternative Education Program placement?; and (b) What is the difference in the percentage of boys by their economic status who receive a Juvenile Justice Alternative Education Program placement? Both research questions were repeated for both grade levels (i.e., Grades 7 and 8) for which data were present, as well as examined for one school year (i.e. 2010-2011).

II. METHOD

a) *Participants*

Participants in this study were White, Black, and Hispanic boys enrolled in traditional Texas public middle school Grades 7 and 8, in the 2010-2011 school year. Data were obtained on all Grade 7 and 8 boys, regardless of whether or not they had been assigned to a JJAEP placement. Data were acquired from the Texas Education Agency Public Education Information Management System, a reporting system that collects data from individual school districts regarding boys and personnel demographics, academic performance, and financial and organizational information (2006). By request, the Texas Education Agency provided

information regarding boy's ethnicity/race, economic status, and whether or not they had received aJJAEP placement

b) *Definition of Terms*

Expulsion with educational services include removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days; (c) *School-to-prison pipeline* was defined by the American Civil Liberties (2014) as a disturbing national trend wherein children are funneled out of public schools and into the juvenile and criminal justice systems; and, (d) *Juvenile Justice Alternative Education Program (JJAEP)* was defined by the Texas Juvenile Justice Department (2015) as a program where students are assigned as a result of violating Texas Education Code Chapter 37 listed offenses which include: mandatory expulsion from their home school for serious infractions of the Student Code of Conduct; discretionary expulsions for serious infractions that occur off-campus as well as other infractions of the Student Code of Conduct; or are court ordered due to title V offenses or probation conditions. . As defined by the Texas Education Agency (2011), *economically disadvantaged* was the sum of the students coded as eligible for free or reduced-price lunch or eligible for other public assistance.

III. RESULTS

To ascertain whether a statistically significant difference was present in JJAEP placements (i.e., received a JJAEP, did not receive a JJAEP) by ethnicity/race and economic status for Grade 7 and 8boys in traditional Texas middle schools, Pearson chi-square analyses were conducted. This statistical procedure was viewed as the optimal statistical procedure to use because frequency data were present for ethnicity/race, economic status, and for JJAEP receipt. As such, chi-squares are the statistical procedure of choice when both variables are categorical (Slate & Rojas-Le Bouef, 2011).

For the first research question regarding the ethnicity/race of Grade 7boyswho were assigned a JJAEP placement, the result was statistically significant, $\chi^2(2) = 52.13, p < .001$. The effect size for this finding, Cramer's V, was trivial,.02 (Cohen, 1988). As depicted in Table 1, Black boys who were assigned to a JJAEP placement at a rate that was three times higher than the JJAEP placement rate of White boys, and one and a half times higher than the JJAEP placement rate of Hispanic boys. Readers are referred to Table 1 for the frequencies and percentages of JJAEP assignments by student ethnicity/race for Grade 7 boys.

Table 1: Frequencies and Percentages of JJAEP Assignments for Grade 7 and Grade 8 Black, Hispanic, and White Students

Ethnicity/Race	Grade 7 n and % of Total	Grade 8 n and % of Total
White	(n = 63) 0.1%	(n = 76) 0.1%
Hispanic	(n = 224) 0.2%	(n = 326) 0.4%
Black	(n = 80) 0.3%	(n = 96) 0.4%

Concerning the research question for Grade 8 boys by their ethnicity/race, the result was statistically significant, $\chi^2(2) = 84.46, p < .001$. The effect size for this finding, Cramer's V, was trivial, .02 (Cohen, 1988). Grade 8 Black and Hispanic boy shad a JJAEP placement rate that was four times higher than the JJAEP placement rate of White boys. Table 1contains the frequencies and percentages of JJAEP assignments by student ethnicity/race for Grade 8 boys.

With respect to the second research question regarding the economic status of Grade 7boys who

were assigned a JJAEP placement, the result was statistically significant, $\chi^2(1) = 72.71, p < .001$. The effect size for this finding, Cramer's V, was trivial, .02 (Cohen, 1988). Boys who were economically disadvantaged had a JJAEP placement rate that was twice the JJAEP placement rate of Grade 7boyswho were not economically disadvantaged. Readers are directed to Table 2 for the frequencies and percentages of JJAEP assignments by student economic status for Grade 7 boys.

Table 2: Frequencies and Percentages of JJAEP Assignments for Grade 7 and Grade 8 Students by Economic Status

Programmatic Label	Grade 7 n and % of Total	Grade 8 n and % of Total
Not Economically Disadvantaged	(n = 74) 0.1%	(n = 129) 0.2%
Economically Disadvantaged	(n = 302) 0.3%	(n = 381) 0.4%

With respect to the research question regarding the economic status of Grade 8boys who were assigned a JJAEP placement, the result was statistically significant, $\chi^2(1) = 65.30, p < .001$. The effect size for this finding, Cramer's V, was trivial, .02 (Cohen, 1988). Grade 8 boys who were economically disadvantaged had a JJAEP placement rate that was two times the

JJAEP placement rate of Grade 8 boys who were not economically disadvantaged. Delineated in Table 2are the frequencies and percentages of JJAEP assignments by student economic status for Grade 8 boys.

IV. DISCUSSION

In this investigation, the degree to which differences were present in JJAEP assignment by student ethnicity/race and economic status of Grade 7 and 8 White, Hispanic, and Black boys was examined. Statistically significant differences in JJAEP assignments were revealed for each inferential analysis regarding Grade 7 and Grade 8 boys by their ethnicity/race and economic status. Black and Hispanic boys in both Grade 7 and in Grade 8 received statistically significantly more JJAEP assignments than their White counterparts. Moreover, Grade 7 and Grade 8 boys who were economically disadvantaged received statistically significantly more JJAEP assignments than their counterparts who were not economically disadvantaged. Although a small sample size was present for Grade 7 and 8 boys by ethnicity/race, readers should note that this sample constituted 100% of JJAEP assignments for this school year. Readers should also note that JJAEP assignments are serious consequences as they expose students to an alternative learning environment, not equivalent to that of a traditional public school. Of the 367 Grade 7 boys who received a JJAEP assignment, Black boys received 20% more JJAEP assignments compared to their White counterparts who only received 10% respectively. Of the 498 Grade 8 boys who received a JJAEP assignment, Black and Hispanic boys received 30% more JJAEP assignments compared their White counterparts who only received 10% respectively. Of the 376 Grade 7 boys who received a JJAEP assignment, those boys who were economically disadvantaged received 20% more JJAEP assignments compared to their peers who were not economically disadvantaged. Of the 510 Grade 8 boys who received a JJAEP assignment, those boys who were economically disadvantaged had twice the percentage (20%) of JJAEP assignments than did their peers who were not economically disadvantaged.

Results of this statewide investigation are congruent with the suspension rates of Black students and of students of low economic status (Evans et al., 2010; Hilberth & Slate, 2012, 2014; Jones et al., 2014, 2015; Sullivan et al., 2013). Results from this study were commensurate with Hilberth and Slate (2014) who established that Black students enrolled at the middle school level were two times more likely to be suspended and expelled than their White peers. This overrepresentation of Black students and potential academic ramifications are well documented in the literature (Fenning & Rose, 2007; Gregory et al., 2010; Hilberth & Slate, 2014; Jones et al., 2014, 2015; Skiba et al., 2011).

No attempt was made in this study to examine if differences were present in JJAEP assignments for Grade 7 and 8 girls by ethnicity/race and economic status. Therefore, this study should be expanded in

further studies. Other questions that could be considered for future research include: (a) What is the difference in the number of JJAEP days assigned to Grade 7 and 8 boys as a function of student ethnicity/race and economic status?; (b) What is the difference in the number of JJAEP days assigned to Grade 7 and 8 girls as a function of student ethnicity/race and economic status? A word of caution is given to readers concerning the generalizability of findings. This study was limited to Grade 7 and Grade 8 boys in the State of Texas. Additionally, data were analyzed for only one year and could represent an abnormality that may prevent the study's findings from applying it to other students in Texas and other states. A multi-year study would improve the generalizability of this study.

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