

Legislative Priorities to Shrink the School to Prison Pipeline for the 2023-2024 Session

The “school-to-prison pipeline” is, in reality, two pipelines that combine to drive students out of the classroom, away from a pathway to success, and towards or into the juvenile or criminal justice system:

- The first pipeline involves frequent suspensions and expulsions that remove students from their classrooms and disconnects them from their school community. Once outside of school, these students are far more at risk of justice system involvement. Youth are [twice as likely to be arrested](#) during periods when they are suspended or expelled from school even if a student has no prior history of delinquent behavior.
- The second pipeline involves arrest in school for behaviors better resolved through alternative approaches. Students are arrested and sent into the system for levels of disruptive behavior that in many cases could be handled through [restorative or therapeutic approaches](#), leading to system involvement rather than addressing the underlying needs of that behavior.

Please join us by co-sponsoring the following bills:

An Act to Remedy Disparities in Students' Educational Achievement (Reps. Ultrino & Meschino [HD.3558](#)/Sen. Jehlen [SD.1203](#))

The Student Opportunity Act set certain criteria to measure school districts' outcomes and student achievement. The SOA however only [measures outcomes](#) related to graduation, MCAS scores and other metrics of student achievement, but doesn't account for the systemic barriers students face towards those positive achievements. This bill addresses the persistent disparities in achievement by: (1) including suspension and expulsion among student among the school outcome measures, with specific targets for sub-populations of students who experience disparate school exclusion; and (2) ensure due process protection for students facing suspension and expulsion.

An Act Enhancing Learning in the Early School Years Through a Ban on School Exclusion in Pre-Kindergarten Through 3rd Grade (Rep. Decker [HD.352](#)/Sen. Gomez [SD.2039](#))

The Young Student Exclusion Ban Act aims to improve educational outcomes by banning Massachusetts public schools from suspending or expelling students in Pre-K through 3rd

grade. Black and Latinx young children are four and three, respectively, more likely than their white peers to experience school exclusion. This ban would not cover incidents involving assaults on school adults, felony charges, dangerous weapons, or drugs, and instead ensures that students aren't excluded for low level offenses – as when a kindergartener was suspended for shutting a door that accidentally caught a teacher's hand – which can be effectively addressed by alternative means. The bill expands this exclusion ban to 4th grade one year after enactment, and to 5th grade two years after enactment.

An Act to ensure equitable access to education, including special education services, for all students in Massachusetts (Rep. Decker [HD.2251](#)/Sen. Creem [SD.604](#))

The lack of publicly available data illustrating bias and disproportionate outcomes impacting students on the basis of race, ethnicity, gender, disability and English learner status, and the intersection of those identities, has a negative impact on our collective ability to effectively address these disparities and drive positive change. This legislation directs the Department of Elementary and Secondary Education (DESE) to publish data that it already collects in a manner that is analyzed by student subgroups so that it is easier for educators, parents, students, communities and policymakers to use it to improve outcomes for specific groups of students. While data is currently accessible by race, ethnicity, sex, English Learner status, and disability, this bill takes the important added step of making “cross-variable” data accessible, which illuminates the performance of students who fall in multiple or overlapping categories. This level of transparency allows those seeking to create positive change the type of in-depth information necessary to identify student groups that are most vulnerable, most impacted by disparate treatment or most in need of support or intervention.

An Act Relative to Safer Schools (Rep. Khan [HD.2273](#)/Sen. Kennedy [SD.2056](#))

Building on the reforms of the policing reform bill of 2020, this bill seeks to expand schools' options for creating safe and welcoming schools. The law governing school resource officers (SROs) states that SROs shall neither be disciplinarians nor shall they use police powers to enforce traditional school discipline misbehavior. Unfortunately, that line is unclear in practice. Results from focus groups with SROs from 16 school districts in Massachusetts show that the line between behaviors warranting school discipline and those requiring law enforcement intervention was often blurred, and that behaviors considered “criminal” in one district (or even among schools in the same district) were construed as being solely the domain of school disciplinarians in another. The bill clarifies the guiding principle to differentiate between conduct requiring disciplinary or law enforcement responses. Additionally, the bill creates a grant program, administered by DESE, to assist schools and districts to plan and implement holistic safety practices to all for their transitioning to police-free schools. Finally, the bill increases the

data that's collected on school policing and would prohibit SROs from being assigned to a district if a superintendent doesn't publicly report that data and share it with the state.

An Act Relative to the Location of School Resource Officers (Rep. Sabadosa HD.124)

Placing police in schools has not resulted in improved school safety. In fact, it may hinder the trust and communication schools need to be safe. A 2020 study found that school police placement led to increased reliance on surveillance, unreasonable search and seizure, inappropriate sharing of confidential information, and an emphasis on formal controls that create an environment of fear and distrust, diminishing students' willingness to confide in school staff when they are experiencing problems. There is documented misunderstanding between police officers and school administrators on the role of police in schools in Massachusetts. This bill removes SROs from schools, locating them at the nearest police station, and tasks SROs as the primary responders to school-based emergencies.



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