Chapter 5

Diagnosing the Schools-to-Prisons Pipeline: Maximum Security, Minimum Learning

Rose Braz and Myesha Williams

In the course of 24 hours in May 2007, without holding a single public hearing, much less a public vote, the California state legislature passed the largest prison-expansion plan in U.S. history. The law, AB900, will add 40,000 new prison beds and 13,000 new jail beds and will cost the state $15 billion for construction and debt service; that stunning price tag is deceptive, however, for it does not include future operating costs, which will amount to hundreds of millions of dollars for generations to come. Of this $15 billion, interest payments on the bonds that will be sold to finance the new prison construction will amount to as much as $330 million per year by 2011. Readers may wonder why California purportedly needs to embark on this unprecedented prison expansion, for it already warehouses more people in its prisons than any other state in the Union (with roughly 12 percent of the nation’s population, the state was responsible for 20 percent of the total increase in the number of people imprisoned during the twelve-month period ending June 30, 2006). In fact, the proposed increase of 40,000 prison beds surpasses the number of existing prison beds in 41 states. And so California, a state confronted by annual budget shortfalls, and already locking up the nation’s largest prison population, has embarked on the astronomically expensive construction of 53,000 new beds for prisoners not yet captured, all to be paid for with taxes not yet collected—leading experts such as Ruth Wilson Gilmore to wonder whether the Golden State is becoming a “Golden Gulag.”1

While California and other states shift their resources toward mass incarceration, the nation’s schools face a funding crisis that affects the already curtailed educational opportunities of the poor, and especially poor people of color. For example, Gary Hopkins reports that “one-half million of the 9.5 million students enrolled in school [nationwide] leave without completing a high school program”—that is a dropout rate of roughly 6 percent. Among the nation’s so-called dropouts (a term we will take exception to later), students classified as Hispanic are more likely to leave school than black or white students, and students from low-income families are six times as likely to leave school as students from high-income families. These are alarming trends, for leaving school dramatically escalates the likelihood of incarceration; in fact, the Bureau of Justice Statistics (hereafter BJS) reports that as of 2003, approximately 75 percent of the people incarcerated in state prisons had not received a high school diploma. We are therefore witnesses to a disastrous cycle wherein prison spending rises, educational spending declines, the number of students pushed out of school in at-risk communities rises, and then those students disproportionately end up imprisoned, hence helping to fuel the call for more prison spending, which in turn curtails education spending, which leads to more students pushed out of school, and on and on it goes; California’s AB900 will turn this self-defeating cycle into an institutionalized funding imperative, for because of that bill’s guidelines, spending on the state’s prison budget is projected to rise by 9 percent annually, while spending on the state’s already beleaguered postsecondary educational system is projected to rise by only 5 percent over the same period. Thus, by fiscal year 2012–13, California is projected to spend $15.4 billion on locking people up and $15.3 billion on higher education. As our title suggests, then, we believe the schools-to-prisons pipeline is fueled by persuasive yet delusional policies by which students are offered maximum security while receiving minimum learning.7

To pursue these charges, this chapter analyzes the connections between the prison-industrial complex and America’s educational crisis. We argue that increases in prison funding are devastating educational opportunities for many students and that the policing technologies of the prison-industrial complex are increasingly migrating into classrooms; as a result, many students report that when they go to school, they are not being challenged, inspired, and treated as future leaders, but placed under surveillance, conditioned to accept second-class lives, and treated as future prisoners. To support these claims, we document how our education system increasingly uses juvenile prisons, detention, policing in schools, metal detectors, surveillance cameras in the classrooms, and zero-tolerance discipline policies to respond to larger social problems within our schools and communities. We are particularly committed to demonstrating how the Bush administration’s No Child Left Behind Act is an outgrowth of so-called zero-tolerance policies that have, in invoking law and order, actually accelerated the number of youths caught up in
the schools-to-prisons pipeline. The term dropout is therefore misleading, for we argue that the combined forces of increases in prison spending, the No Child Left Behind Act, legacies of racism, and schools that function more like juvenile detention centers than youth empowerment zones are actually pushing students into the juvenile and adult prison systems—activists have therefore begun to refer to these students not as dropouts but as pushouts. We accordingly argue that reversing the devastating effects of the schools-to-prisons pipeline requires addressing the educational needs of pushouts and, ultimately, abolishing the prison-industrial complex.  

“A Budget Is a Statement of Priorities”; or, How Rising Prison Spending Produces Underfunded Public Schools and Abandoned Communities

When a reporter asked him about state spending on imprisonment, Bill Shiebler, the president of the University of California Student Association, responded that “a budget is a statement of priorities. I think our state’s got its priorities wrong... It seems they’re more interested in locking people up than in giving people an opportunity in life.” While Shiebler’s analysis is correct, it is important to remember that California’s skewed priorities did not begin with AB900—the crisis has its roots (at least some of them) in the budget crisis of 2002. At the time, the general fund’s shortfall over the next year and a half was projected to top $34 billion. In response to the dilemma, Democratic governor Gray Davis proposed a budget for 2003–2004 that, as the state’s independent Legislative Analyst’s Office highlighted, “identifies major proposed reductions in all areas of the state budget except criminal justice. It includes major reductions in K-12 and community college funding.” Indeed, because of the proposed $14 billion cut in K-12 education funding, approximately 30,000 teachers, nurses, counselors, and school administrators were sent layoff warning notices, class-size reduction programs were on the chopping block, the San Francisco Unified School District was forced to cancel summer school for elementary school students, and the rural Clovis School District canceled 135 school bus-route stops. At the community college level, tuition was slated to double under the proposed budget; estimates showed that more than 100,000 community college students would likely not be able to afford to return to school—they too would become pushouts. And so the state’s educational system was slated to be gutted while prison spending would rise.

Indeed, the same budget that proposed to cut $14 billion from education sought to spend $40 million more on existing prisons, to continue plans to build a new $595 million state prison, and to add 965 new death cells (at a cost of an additional $220 million), all while cutting funding for academic and vocational training programs for prisoners. This prompted the California Teachers Association’s John Hein to complain: “I don’t know what happened to the governor who said that education was his first, second, and third priorities. Maybe now he is the governor who believes corrections is his first, second, and third priorities.” While Davis may have been trying to position himself as a “Get Tough on Crime” candidate capable of standing tall against Republicans, his budgetary priorities clearly violated the wishes of those who elected him, for a December 2001 poll found that four times as many surveyed Californians preferred to reduce the state’s prison budget as preferred to cut higher education. Such sentiments reflected Californians’ longstanding pride in what was once one of the great public education systems in the world: in 1964, the golden state ranked fourth in the nation in per-pupil spending, yet forty years later, by budget year 2003–2004, California had risen to first in the nation in prison spending while dropping to forty-fourth in the nation on state government expenditures for education per $1,000 of personal income. It would be a mistake to place all the blame on Governor Davis’s 2003–2004 budget—there were many factors contributing to the political sea changes we are discussing—yet the figures cited here make it painfully evident that, as Shiebler argued, California has “got its priorities wrong.” In fact, between 1984 and 2005, California built twenty-four new prisons and only two new universities. This is a disastrous trend, for slashing educational funding while feeding the prison system can only produce two results: worse schools and more prisoners.

While Governor Davis’s 2003–2004 budget illustrates how California was choosing to invest in becoming a “golden gulag” rather than a leader in education, many other states were also diverting funds from education to incarceration. For example, between 1977 and 1999, total state and local expenditures on corrections increased by 946 percent, roughly two-and-a-half times the rate of increase in spending on education. Thinking proportionally, between 1980 and 2000, corrections’ share of all state and local spending grew by 104 percent while higher education spending dropped by 21 percent. This remarkable drop in education spending and escalation of state and local spending on prisons has resulted in an incarceration nation where, according to the National Association of State Budget Officers, total state expenditures...
on corrections were projected to reach $45.7 billion in fiscal year 2006. Even professionals who work in the prison-industrial complex recognize the consequences of this spending pattern. As Michael Jacobson, director of the Vera Institute in New York and the former head of the New York State Department of Corrections notes, “budgets are a zero-sum game. ... The money for corrections comes from other places. ... When you think about some of the alternatives for spending that kind of money, there are much better things you can do for public safety that would be a lot more effective.” Unfortunately, schools are not only being forced to function with smaller budgets, but the prison system that is hedging in on their resources is, as we discuss below, increasingly migrating into classrooms and hence turning many schools into Lockdown High.²

**Lockdown High: or, How the Prison-Industrial Complex Harms the Classroom**

According to a report released in 2000 by the U.S. Congress's Bi-Partisan Working Group on Youth Violence, “statistically speaking, schools are among the safest places for children to be.” In fact, the Justice Policy Institute’s *School House Hype: School Shootings and the Real Risks Kids Face in America* observes that “99% of the times a youth is killed in America, it is outside of a school.” Nonetheless, Bernardine Dohrn reports that “between 1990 and 1995, while juvenile homicides dropped 13 percent, related coverage on network evening news programs increased by 240%”—so what the public believes about violent crimes at school is not based on material facts but on mediated fantasies. As Barry Glassner argues in *The Culture of Fear*, our collective anxiety grows “proportionate to our unacknowledged guilt. By slashing spending on educational, medical, and antipoverty programs for youths, we adults have committed great violence against them. Yet rather than face up to our collective responsibility we project our violence onto young people themselves.”

One result of this projection of fear onto young people, and especially young people of color, is that the policing strategies of the prison-industrial complex are increasingly being implemented in our schools. Arising from frightening but statistically rare and isolated incidents of schoolyard violence, juvenile crime and education laws have increasingly focused on suspension, expulsion, curfews, zero-tolerance policies, and harsh law enforcement responses to school-based misconduct. We argue that these policies have not made our schools or communities safer; rather, they have turned many of our schools into auxiliaries of the prison-industrial complex. To prove this charge, we offer below a series of observations on how the prison-industrial complex is harming the educational promises and priorities of our schools.⁷

**Zero Tolerance in the Schoolhouse**

The term zero tolerance was coined by the Reagan administration during its so-called war on drugs, but, as a response to much-publicized incidents of schoolyard violence, it was soon applied to classrooms as well. The Clinton administration then escalated the crackdown on the alleged (but factually inaccurate) rising tide of school violence when it implemented the Gun Free Schools Act in 1994. The act marked a significant milestone in education’s response to harm, for while the act mandated that the punishment for any student found on school property with a firearm is expulsion, the act also called for the application of zero-tolerance policies across a wide range of other actions in the schoolhouse—and the results have been disastrous. For example, in 2000 the Justice Policy Institute and the Kentucky Children’s Law Center issued a report outlining the following cases:

- A seventeen-year-old junior was expelled after he shot a paper clip with a rubber band at a classmate, missed, and broke the skin of a cafeteria worker.
- A nine-year-old on the way to school found a manicure kit with a one-inch knife, brought the object to school, and was suspended for one day.
- In Louisiana, a twelve-year-old diagnosed with a hyperactive disorder warned fellow students not to eat all the potatoes, or “I’m going to get you.” The student was suspended for two days, then referred to police by the principal and charged with making “terroristic threats.” The student was imprisoned for two weeks while awaiting trial.
- Two ten-year-old boys in Virginia were suspended for three days for putting soapy water in a teacher’s drink. Police charged the boys with a felony, carrying a potential twenty-year sentence; the case was eventually dismissed months later.
- In Texas, a class assignment asked a thirteen-year-old to write a “scary” Halloween story, and so a student wrote about an imagined school shooting. He received a passing grade but was referred to the school principal’s office. School officials called the police, and the child spent six days in jail before the courts confirmed that no crime had been committed.
- In Florida, a fourteen-year-old disabled student was referred to the principal for allegedly stealing $2 from another student. The principal called the police, who charged the student with strong-armed robbery. The student was held for six weeks in an adult jail. In response to local media criticism about his decision to file adult felony charges, the prosecutor criticized the
media, alleging that “depicting this forcible felony, this strong-arm robbery, in terms as though it were no more than a $2 shoplifting fosters and promotes violence in our schools.” Charges were eventually dropped.1

In each of these stories, overzealous zero-tolerance guidelines escalated low-level schoolhouse incidents into allegedly criminal actions requiring suspension, or expulsion, or even police intervention. In the name of getting tough on crime, the delicate give-and-take of student-teacher relationships and the intricate dance of student-student interactions were turned into adversarial battles wherein students were shamed, heavily disciplined, and in some cases imprisoned. This is not a good pedagogical model; this is no way to inculcate a love of learning and a healthy respect for self and others.

Moreover, a host of scholars, activists, parents, and educators have demonstrated that zero-tolerance policies disproportionately affect students of color. For example, a 1999 study by the Applied Research Center found that while African American students composed 16 percent of students in the San Francisco Unified School District, they received 52 percent of its suspensions. A national study that same year surveyed ten school districts and found that black students, already suspended or expelled at higher rates than their white peers, faced even harsher disciplinary treatment under zero-tolerance policies. The nationwide study concluded that black students total 17 percent of the public school population but account for 34 percent of all out-of-school suspensions and 30 percent of all expulsions; by contrast, white students, who account for 52 percent of the student population, received 48 percent of all out-of-school suspensions and 49 percent of all expulsions. In short, under zero-tolerance policies, black and Latino students are 70 percent more likely than white students to be disciplined, and between 200 and 300 percent as likely to be suspended. Summarizing these findings, a report by the Advancement Project concluded that zero tolerance means that black and Latino students tend to be pushed out of the schoolhouse faster than their white peers—zero tolerance thus means diminished educational opportunities, and therefore hope, for children of color. This pushing away of some children has dire consequences, for states with higher school suspension rates are more likely to have higher juvenile incarceration rates. The schools-to-prisons pipeline is therefore greased with policies such as zero tolerance.3

For an example of how racial biases and racially driven responses to social conflict fuel community tension and lead some students to imprisonment, consider the recent train of events in Jena, Louisiana. White students hung nooses from a tree in front of Jena High School after a black student asked permission to sit under a tree that had traditionally been regarded as the territory of white students only. To protest the display of nooses—a clear reference to Jim Crow-era lynchings, and hence effectively a death threat—nearly every black student in the school stood under the tree. When the town’s district attorney and some police officers arrived on the scene, they advised the black students to stop making such a fuss over the nooses, which school administrators deemed a “harmless prank.” After this initial round of controversy, when some white students admitted to hanging the nooses, they were not severely punished; when white students beat up a black student at a party, they were not severely punished; when a white former student threatened two black students with a shotgun, he was not severely punished. But when six black students got into a fight with a white student, they were charged with attempted murder and threatened with long prison sentences. The “Jena 6” have subsequently received massive media attention, worldwide outpourings of support, and legal counseling, but their case indicates how zero-tolerance policies are applied according to longstanding racial biases.4

As is often the case in America, race is closely affiliated with class in the thinking about the effects of zero-tolerance policies. For example, Equity or Exclusion, a 2003 report by the National Center for Schools and Communities at Fordham University, found an overwhelming correlation between high suspension rates and schools that were both racially segregated and underresourced. Schools with the highest suspension rates were also the most overcrowded, staffed with the least qualified teachers, hosted the fewest extracurricular activities, housed the worst libraries, and offered the fewest functioning computers—and were servicing the highest percentage of black and Latino students. Zero-tolerance policies thus seem to be pushed upon students of color who attend the least affluent schools, yet even whileflagging the unequal application of zero-tolerance policies, we need to emphasize that suspension and expulsion are not effective deterrents of violence, regardless of where they are applied. Indeed, the Justice Policy Institute found that although suspensions have doubled since the 1970s, the level of violent crime in schools has remained constant. Rather than making our schools safer, then, racially driven and class-based suspensions and expulsions function as social reinforcers, as powerful lessons that reduce a student’s excitement about school, that foster disciplinary rather than learning environments, and that create a self-sustaining culture of low achievement. In sum, a school environment enmeshed in and even grounded upon pris-
on-style punishments, and driven by zero-tolerance policies, impedes the promises of constructive pedagogy and social justice, hence fueling the rise of our punishing democracy.\textsuperscript{11}

\textbf{Police and Security Guards Replace Counselors}

As a part of this disastrous turn to zero-tolerance policies, schools, especially those located in moderate to high-poverty areas, have increasingly been prodded to turn to police rather than teachers, counselors, and mediators to address harm. For example, in New York City, initially under the direction of then-mayor Rudy Giuliani, school security has been taken over largely by the police. The Division of School Safety was formally transferred from the Board of Education to the New York Police Department on December 20, 1998. Susan Anulu, a spokesman for the United Federation of Teachers, hoped at the time that “maybe the New York Police Department knows something the schools don’t. They have an expertise the school system just lacks.” In contrast, Carl Haynes, representing Local 237 of the International Brotherhood of Teamsters, gave a statement titled “Schools Are Not Jails/Keep Cops Afar,” wherein he argued that “cops do not belong in the schools.” But they are now there in unprecedented numbers; it is not surprising that, as critics feared, the transfer of authority from the Board of Education to the Police Department resulted in a tremendous growth in the number of school security personnel (formally called School Security Agents, SSAs) and budgetary dollars devoted to security. Indeed, prior to the 1998 transfer, the New York school safety division employed 3,200 personnel; by the start of the 2005–2006 school year, New York City had increased the number of SSAs to 4,525 and had deployed an additional 200 armed New York City policemen and policewomen to patrol the hallways of New York City’s public schools. As Julie Drew and William Lyons argue in \textit{Punishing Schools}, such heavy-handed tactics “construct students as either potential victims in need of protection, or as criminals in need of punishment. . . . [E]ither option is predicated on a lack of agency.”\textsuperscript{12}

\textbf{Drug Testing}

Another way the prison-industrial complex has invaded our classrooms is through the pervasive use of mandatory drug testing, which is now a regular occurrence in middle and high schools in approximately 1,000 districts across the country. Federal officials estimate that an average of one school a month adds testing programs, with school drug testing spreading even more rapidly since the events of September 11, 2001. When drug testing was first implemented widely in schools, some parents complained about the invasive practice, especially when required for students who participate in extracurricular school activities, but the U.S. Supreme Court ruled in 2002 that testing students involved in such programs, as long as it does not affect their right to an education, does not violate their Fourth Amendment rights. This legal hair-splitting misses the point, however, since such drug testing is, we believe, teaching students the norms of a life of perpetual surveillance and suspicion. Moreover, one of the largest studies on school drug testing, conducted by three scholars at the University of Michigan Institute for Social Research in 2003, and questioning 90,000 students at 900 schools nationwide, found essentially identical rates of drug use in schools that used drug tests and those that did not—\textit{mandatory drug testing made no difference in usage rates}. For this reason and others, the California State Parent Teacher Association, the American Academy of Pediatrics, the National Education Association, the National Council on Alcoholism and Drug Dependence, and the vast majority of the nation’s school districts oppose school-based drug testing. In addition, few physicians support school-based testing of adolescents for drugs, as a national survey of physicians (pediatrics, family medicine, and adolescent medicine) found that 83 percent disagreed with drug testing in public schools. Drug testing in schools is therefore an example of bad pedagogy, ineffective criminology, and heavily opposed medical practice.\textsuperscript{13}

Furthermore, while mandatory drug testing does not reduce school drug use, experts increasingly fear that the policy actually impedes other school programs and policies that do work. For example, the Academy of Pediatrics notes that “our experience—and a broad body of relevant research—convinces us that a policy [of random student drug testing] cannot work in the way it is hoped to and will, for many adolescents, interfere with more sound prevention and treatment processes.” Likewise, Elizabeth J. Clark, executive director of the National Association of Social Workers, writes that “social workers, concerned with a child’s well being, question whether [drug testing] will do more harm than good.” In her dissenting opinion in \textit{Board of Education of Pottawatomie v. Earls}, U.S. Supreme Court Justice Ruth Bader Ginsburg argued that the Oklahoma drug testing policy under consideration “falls short doubly if deterrence is its aim: It invades the privacy of students who need deterrence least, and risks steering students at greatest risk for substance abuse away from extra-curricular involvement that potentially may palliate drug problems.” These experts agree, then, that mandatory drug testing puts children under surveillance, and likely drives possible drug users away from
the very activities that might give them reasons to believe in themselves, their schools, and their communities. Instead of addressing underlying social crises, mandatory drug testing imports the policing techniques of the prison-industrial complex— with the predictable bad results.¹⁴

**Metal Detectors**

As technology advances and becomes increasingly accessible and mobile, so we have witnessed a tremendous expansion of the use of prison-related technologies in the schoolhouse. For example, in 2003, nearly all surveyed students between the ages of twelve and eighteen reported the presence of one or more technological security measures at their school. In some facilities, metal detectors are the first thing greeting any student, parent, teacher, or visitor; in other schools, the hallways are lined with surveillance cameras. Like other manifestations of the prison-industrial complex in the classroom, these mechanisms are not working; in fact, U.S. Department of Education researchers concluded that using such prison-related technologies in schools is “not likely to be effective” and even potentially harmful.¹⁵

Indeed, while get-tough-on-crime proponents argue that stocking the schools with police, SSAs, surveillance cameras, and metal detectors makes our schools safer, the facts do not support that position. Consider the proliferation of SSA-staffed metal detectors in New York City, where they have been deployed ostensibly to catch students smuggling guns and other weapons into schools. The NYCLU’s *Criminalizing the Classroom* documents 17,352 “confiscated items” turned up in roving metal-detector searches conducted between April and December 2006—and “not a single gun was found.” Not a single gun. So the only guns making their way into New York City’s schools are those bouncing upon the hips of the police. Rather than protecting the schools by snaring weapons, such roving searches netted immense piles of the electronic paraphernalia of a new generation’s communicative devices and gaming toys. While millions of dollars are spent arming the schools with metal detectors and a massive force of SSAs (there are more SSAs in New York City schools than police officers in Boston, Detroit, San Diego, and Phoenix), the educational budgets of many of the affected schools are dismal. In fact, whereas New York City spends an average of $11,282 per year per high school student, those schools with permanent metal detectors spend only $9,602 per year per student, only 85 percent of the citywide average. Those schools with more than 3,000 students and permanent metal detectors spend only $8,066 per year per student, 71 percent of the citywide average. So the most heavily policed students receive the least educational funding. In fact, of those schools with permanent metal detectors, only 53 percent even have librarians. This means that some of New York City’s schools are treating their poor students like prisoners-in-waiting: they are subject to constant surveillance, they are accosted by belligerent police and SSAs, they receive less educational funding than other students, and many of them have no access to librarians. These young people are being taught to fail, taught that they are expendable, taught that they are permanent members of a second-class caste. The situation has become so dire that Jonathan Kozol, the celebrated historian of America’s public education system, has argued that we are witnessing “the restoration of apartheid schooling.”¹⁶

**Big Brother Is Watching: Surveillance Cameras**

Along with metal detectors, police in schools, and drug testing, America’s schools increasingly rely upon surveillance cameras. For example, in 2002, approximately 950 new public schools opened in the United States; architects estimate that three-quarters of those new schools were equipped with surveillance cameras. The Biloxi, Mississippi, public school district leads the nation in schoolhouse surveillance technology: It uses cameras not only in corridors and common areas but in all 500 of its classrooms. Steve Lillenthal, director of the Free Congress Foundation, believes that “putting cameras on children trains them to believe that being watched every minute of the day is O.K. But they should be teaching students to behave not because a camera is on them, but because it is the right thing to do.” Indeed, like drug testing for students who want to participate in extracurricular activities, it seems to us that relying upon surveillance cameras misses the point: We are not made safe because we are watched by technology, but by inculcating values of respect, solidarity, and good communication. Indeed, we believe that a school environment where students are constantly being watched has grave implications for learning and development. For rather than learning how to think creatively, how to solve problems, and how to communicate across social divisions—that is, rather than being taught the skills necessary for becoming successful adults—students today are too often taught to think of themselves either as suspects or as potential victims whose safety depends on a machine. Moreover, we suspect that knowing that every discussion in class, every flirtation in the hallway, every casual exchange between student and teacher, every single interaction is being recorded, must have dire consequences on students’ and teachers’ lives.¹⁷
No Child Left Behind: Pushing Students into the Schools-to-Prisons Pipeline

In the preceding section we argued that the prison-industrial complex is harming America's schools by encouraging local administrators to implement disastrous zero-tolerance policies, to contract school safety to armed police and police-managed SSAs, to use mandatory drug tests, to deploy metal detectors, and to rely upon surveillance cameras, all purportedly deployed to ensure the safety of students, teachers, and administrators. These five steps, each a reflection of the creeping influence of the prison-industrial complex in our nation's schools, have not made our schools safer, yet they have helped to foster a culture of fear, one where students, and especially students of color, tend to feel that they are treated less like future leaders and more like suspects. This is why we do not use the term dropout, for we believe the policing-in-schools strategies addressed here are leading some students to the door, literally inviting them to leave school. As argued by Steve Orel, the founder of World of Opportunity, "I have yet to meet a single student who woke up one morning and consciously chose to leave school. My experience has been that the school system left them."18

Perhaps the most glaring example of how America's schools have abandoned our children, the Bush Administration's No Child Left Behind Act (NCLB) encapsulates many of the issues we have been addressing here. Indeed, we think of the NCLB as the legislative embodiment of zero-tolerance policies, for at its disciplinary core, the NCLB enforces a zero-tolerance mandate on schools and students: When schools do not improve their rankings on standardized tests, lower dropout rates, reduce absenteeism, and raise the percentage of students who graduate in four years, the NCLB mandates automatic state takeover and reorganization. But rather than enabling schools to raise their performances in these crucial criteria—by supporting creative pedagogical practices, providing the funds for new hiring, and encouraging extracurricular activities—the threat of NCLB-ordered takeover as a consequence of failure has created new pressures for schools to push out students whose performances lower their school's overall ranking. As Mark Soler of the Youth Law Center stated, "Zero tolerance is fed less by fear of crime and more by high-stakes testing. Principals want to get rid of kids they perceive as trouble." In fact, Title V of the No Child Left Behind Act, "Safe Schools for the 21st Century," empowers teachers "to remove violent or persistently disruptive students from the classroom. In order to receive funds from this program, states must adopt a zero-tolerance policy for violent or persistently disruptive students." The problem with this strategy, however, as we demonstrated in our previous section, is that the bar of what counts as violent or disruptive behavior has lowered to the point of threatening the presence of many children in our schools. Moreover, expecting already overcrowded and underfunded schools to live up to unreasonable expectations on standardized tests is a virtual recipe for failure. The NCLB's version of zero tolerance functions, then, not as an encouragement but as a threat, not as empowerment but as criminalization.19

These unproductive transformations in how America manages its schools have been accelerated by fear of terrorism. For example, in a U.S. Department of Education fact sheet on the NCLB, the DoE lists reasons it believes NCLB will make schools safer and drug-free. Among those reasons: "America has learned important lessons from September 11. One of the most important lessons is that we must be prepared for the worst... The president believes the first job of government is to protect its citizens—whether the threat is terrorists abroad, criminals at home, or predators or drug dealers in or near schools." The DoE fact sheet goes on to state that NCLB makes schools safer by protecting "teachers, principals and other school professionals from frivolous litigation when they take reasonable actions to maintain order and discipline in the classroom." The NCLB thus invokes the specter of terrorism while offering teachers new legal protections in the event of lawsuits, but it does little in the way of encouraging creative pedagogy rooted in the needs of local communities. Rather, by implementing zero-tolerance policies, metal detectors, drug testing, police in schools, surveillance cameras, and standardized tests, the NCLB actually discourages some students from coming to school while leading some administrators to perceive low-achieving students as hampering school standings in standardized student achievement test scores. The students who require the most attention are therefore penalized, marginalized, treated not as individual learners with specific needs but as collective administrative failures. We therefore applaud the conclusions of a 2005 study conducted by researchers at Arizona State University's Education Policy Studies Laboratory, which called for a moratorium on NCLB's high-stakes testing practices.20

Our critique of the NCLB as a harsh extension of prison-related policing strategies and technologies is driven by the assumption that students cannot be coerced into learning. Rather, good pedagogical practices (such as those illustrated in part 2 of this book) find ways to make learning fun, to encourage both risk-taking and responsibility, and to inculcate trust and friendship among students and teachers—students must feel that learning is in their best interest, and they must feel that teachers are figures of respect and
wisdom. Turning teachers into faux-police, turning schools into surveillance zones, and turning lesson plans into rote learning for the purposes of passing standardized tests—thus turning schools from places of wonder into zones of discipline and fear—are therefore virtually guaranteed to fail, especially in neighborhoods with long histories of underfunded schools. For example, the *New York Times* reports that at the Abraham Lincoln High School in East Los Angeles, a historically poor neighborhood, only seven out of one hundred students perform at grade level in mathematics or English; at the Woodrow Wilson High School, only four out of seven do so. Statewide, "all 6,063 public schools serving poor students will be declared [by NCLB rules] in need of restructuring." We argue that what these schools need is not NCLB-mandated "restructuring"; rather, they need more teachers, better facilities, more creative arts and musical offerings, more sports programs, and more opportunities and support for meaningful parent involvement—in short, they need our care and attention, not NCLB-driven threats.  

**Conclusion: Abolishing Prisons, Rebuilding Democracy**

What message does it send our children when we tell them that in order to go to school, they must be searched, probed, tested for drugs, and watched at all times? What does it say about the competency of our school system when we resort to treating students as if they will commit a crime every time they go to school? How does it affect learning to go to school under the heavy burden of possibly being removed from school either temporarily or permanently for minor infractions, or of being arrested for petty school offenses? How can learning be imaginative and fun when it is pegged not to individual growth and communal values but to standardized tests? As we have argued here, these questions point to a culture that penalizes the poor and especially poor students of color, who, because of zero tolerance and other prison-related disciplinary maneuvers, are being pushed from the schoolhouse and into the schools-to-prisons pipeline. In short, the atmosphere created by these policies has resulted in a maximum-security but minimum-learning environment.

Rather than continuing to pursue prison-related disciplinary measures, we have argued that we must instead focus on empowerment; that means revoking NCLB, removing police and metal detectors and surveillance cameras from schools, and returning the power of making lesson plans to teachers freed from the threat of standardized tests. To fund this renewed commitment to our children's futures, we propose shifting resources away from mass incarceration and back to education; we thus urge the defunding of the prison-industrial complex by reducing the number of people in prison and closing prisons, with these steps leading to the reinvestment of those funds into our communities. We are calling, then, for redirecting the billions of dollars poured into the prison-industrial complex into a "peace dividend" committed to enhancing our schools. Indeed, closing the schools-to-prisons pipeline by rebuilding and reinventing our nation's schools is a necessary first step toward abolishing the prison-industrial complex and thus reclaiming hope and justice from our punishing democracy.  

**Notes**


3. Examples of student testimony supporting these claims can be found in Meredith A. Browne, *Derailed! The Schoolhouse to Jailhouse Track,* a 2003 report posted by the Advancement Project, accessible at www.advancementproject.org, and *In Criminalizing the Classroom: The Over-Policing of New York City Schools*, a 2007 report posted by the New York Civil Liberties Union, accessible at www.nyclu .org; for an overview of these claims see William Lyons and Julie Drew, *Punishing Schools: Fear and Citizenship in American Public Education* (Ann Arbor: University of Michigan Press, 2006); regarding the politically loaded assumptions that make dropout an inaccurate word for describing the children mentioned here, see "Why We Use the Term 'Pushouts' Instead of 'Dropouts,'" a handout posted by Education Not Incarceration, available from the editor; and see the Dignity in Schools Campaign.