



UNITED STATES COMMISSION ON CIVIL RIGHTS

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August 23, 2016

Mr. Robert L. Listenbee
Administrator, Office of Juvenile Justice and Delinquency Prevention
United States Department of Justice
810 Seventh Street NW
Washington, DC 20531

SUBJECT: Civil Rights and the School-to-Prison Pipeline in Oklahoma Report

Dear Mr. Listenbee:

The U.S. Commission on Civil Rights (“Commission”) is pleased to transmit to your office our Oklahoma State Advisory Committee’s Report (“Report”) “Civil Rights and the School-to-Prison Pipeline in Oklahoma.” The Commission maintains 51 Advisory Committees - one for each state plus the District of Columbia. The role of the Advisory Committees is to conduct studies of civil rights issues in their communities and report to the Commission on their findings and recommendations.

The Commission requests that your office review and implement the recommendations directed to the U.S. Department of Justice in the Report.

In March 2015, the Advisory Committee voted to undertake a study regarding the civil rights impact of school discipline and juvenile justice policies in the state of Oklahoma, as related to disproportionately high rates of juvenile incarceration on the basis of race, color, sex, disability, and other federally protected categories - in what has become known as the “school to prison pipeline.” In Oklahoma and throughout the U.S., youth of color are significantly overrepresented in incidents of exclusionary discipline in schools, as well as in rates of juvenile incarceration, despite research demonstrating no significant behavioral difference between youth of color and their white peers.

The Committee found that harsh school disciplinary policies create a situation where students, particularly students of color and students with disabilities, disengage from school and are funneled into the juvenile justice system. These policies are especially detrimental to African American, Latino, and Native American students, who are pushed out of school through harsh discipline policies and exclusionary practices that are not culturally relevant and that do not make use of traditional supports. The deleterious impact of these policies is exacerbated by implicit bias, or the unconscious attitudes or beliefs held by an individual - in the school environment - which put children of color at a learning disadvantage. The adverse impact of poverty, which disproportionately affects students of color, further compounds these concerns.

We have similarly asked the U.S. Department of Education to review and implement the Report’s recommendations, including a request that it conduct a national study on the impact of

poverty on disparities in educational outcomes on the basis of race or color. In addition, the Commission asks that the Department of Justice and the Department of Education require that states impose mandatory reforms to disciplinary policies for schools that demonstrate significant disparities in disciplinary actions on the basis of race, color, or disability. Such reforms may be based on the Department of Education's 2014 Guiding Principles Resource Guide for Improving School Climate and Discipline. We welcome the Department of Education's White House Initiative on American Indian and Alaska Native Education School Environment Listening Sessions Final Report and hope that this report will be a resource to the Administration as it issues the NSEI Toolkit in providing guidance to school districts.

The Commission appreciates your consideration of the Reports recommendations, in the hope of improving educational opportunities and reducing the likelihood of incarceration for youth in Oklahoma and across the U.S.

Sincerely,



Martin R. Castro, Chairman



Patricia Timmons-Goodson, Vice-Chair



Roberta Achtenberg, Commissioner



David Kladney, Commissioner



Karen K. Narasaki, Commissioner

Encl:

--The Oklahoma State Advisory Committee Report "Civil Rights and the School-to-Prison Pipeline in Oklahoma."

--U.S. Commission on Civil Rights Letter to the U.S. Department of Education