

The Human Right to Dignity in School

“Children do not lose their human rights by virtue of passing through the school gates... Education must be provided in a way that respects the inherent dignity of the child...that respects the strict limits on discipline...and promotes non-violence in school.”

- UN Committee on the Rights of the Child, General Comment 1

Young people have a fundamental human right to dignity which must be protected in school. Human rights standards require schools to create an environment where young people feel safe, supported and are able to learn regardless of race, class, age, gender, immigrant status, language or other factors. There should be mutual respect between teachers and students in all classrooms, and students’ self expression and self-confidence should be developed. School safety and discipline policies must not result in harsh or humiliating treatment, or disrupt the learning process.

“The goal [of education] is to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence.”

- UN Committee on the Rights of the Child, General Comment 1

Violations of Dignity and Safety in Our Schools

In many public schools across the United States, policy-makers have turned to the use of zero-tolerance discipline policies, armed police officers, and jail-like conditions in response to concerns about violence and school safety.¹ As a result, young students regularly experience verbal mistreatment, criminalization, and excessive suspensions for even minor infractions that exclude them from learning.

In New York City a student was arrested for shouting in the hallway. The student’s principal was also arrested when he tried to defend the student.

In Los Angeles police used mace on large crowds of students to break up a school fight. One student was sent to hospital.

In Florida a five-year-old was handcuffed for hitting an assistant principal.²

Aggressive disciplinary measures are a response to the consequences, not the root causes of unsafe schools. When schools suffer from gross inequity, unwelcoming environments, and inadequate support and counseling, both safety and dignity are compromised. Security policies that do not compromise the learning environment, along with the resources and will to provide a quality education, can improve learning and safety without violating human rights.

A Culture of Dignity and Respect is Needed in Our Schools and Classrooms

Forceful security and disciplinary policies are a symptom of a broader culture in our school system that fails to respect the dignity of every child. Low-income students and students of color attend overcrowded and under-resourced schools that send the message that they are not valued. They hear degrading comments from school staff and are treated differently based on their race, how they dress, how they speak or what neighborhood they come from. In order to ensure that the abilities and potential of every child are recognized and cultivated, a shift in the culture of schools must take place. Educators that are frustrated by violence and overcrowding must be given the resources and support services they need to engage and educate every child in their classrooms.

Human Rights Standards to Guarantee Dignity in Schools

Whole School Approaches to Safety and Respect

The entire school environment including school facilities, curriculum, classroom interactions, discipline and safety policies, focus on creating a culture of mutual respect and dignity for all students and school staff.

Better Trained Staff and Adequate Standards

Governments must ensure that adequate numbers of well-trained staff and supervisors are available to meet the needs of students and promote a safe atmosphere for learning.³ Resources to hire and train teachers, safety officers, principals and other staff should be made available and distributed equitably where they are needed.

Protection from Degrading Punishment and Loss of Learning

School discipline must be “administered in a manner consistent with the child’s human dignity”⁴ and without discrimination. Young persons should not be “subjected to harsh or degrading correction or punishment.”⁵ The arrest or detention of a child should be a “last resort and for the shortest appropriate period of time.”⁶ Students should not be deprived of the opportunity to learn.

Free Expression and Active Participation Among Students

The participation of young people in the classroom, school life, peer education and peer counseling, and in the development and implementation of school discipline, should be promoted as part of the process of learning and involving children in claiming their rights.⁷

Emotional Support and Well-Being for Students

Human rights require that schools provide “positive emotional support to young persons” and avoid psychological mistreatment.⁸ Schools should take a holistic approach to education which includes “the physical, mental, spiritual, and emotional aspects of education.”⁹

Monitoring Schools and Providing Remedies for Violations

The government must monitor the use of disciplinary and safety policies in schools and provide effective remedies for young persons and parents when their rights are violated.

¹ See Browne, Judith A. *Derailed: The Schoolhouse to Jailhouse Track*. Advancement Project. May 2003.

² “Arrested Bronx Guild High School Principal, Student and School Aide to Appear in Court.” NY Civil Liberties Union. March 23, 2005.

³ “Handcuffed Five Year old Sparks Suit.” CBS News. April 25, 2005.

⁴ This incident and the quotes on students and school administrators are from testimony gathered by NESRI in NYC and LA public schools.

³ CRC, GA Res. 44/25 (1990). Article 3 (3).

⁴ CRC, Article 28 (2).

⁵ UN Guidelines for the Prevention of Juvenile Delinquency. GA Res. 45/112 (1990).

⁶ CRC, Article 37 (b and c)

⁷ UN Committee on the Rights of the Child. CRC General Comment 1. Para. 8.

⁸ The Riyadh Guidelines. Para. 21 (g).

⁹ UN Committee on the Rights of the Child. CRC General Comment 1.