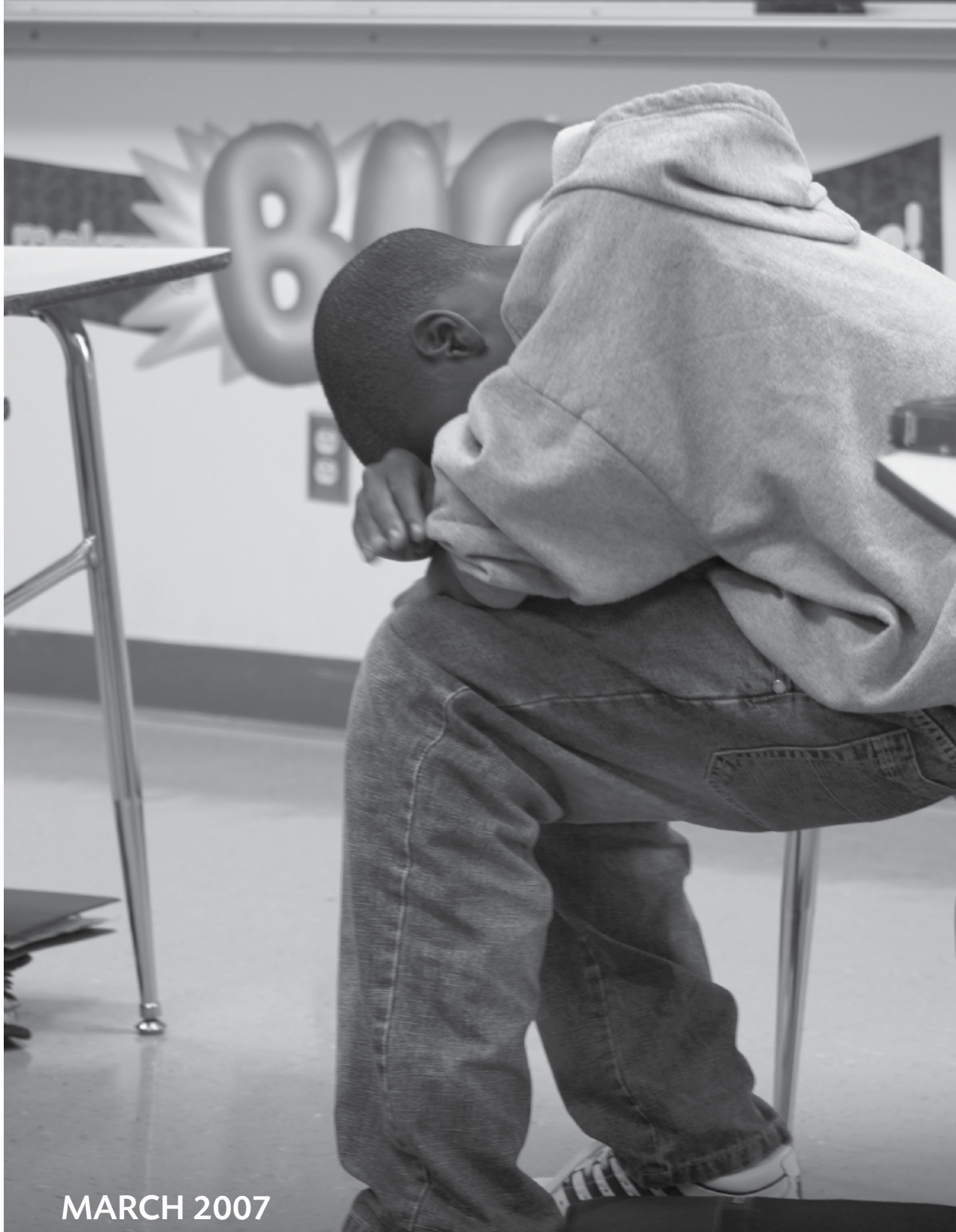


# Deprived of Dignity

Degrading Treatment and Abusive Discipline  
in New York City & Los Angeles Public Schools



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# EXECUTIVE SUMMARY



## OVERVIEW

**D**eprived of Dignity examines degrading treatment and abusive disciplinary measures experienced by students of color from low-income communities in public schools in the United States (U.S.). This report documents this destructive school culture through the lens of human rights.

The Convention on the Rights of the Child — the most widely ratified human rights treaty in the world — requires schools to provide an environment where children feel safe, supported and are able to learn regardless of race, class, age, language or other factors. This demands mutual respect between staff and students, and discipline policies that protect against harsh or humiliating treatment and ensure that students are not prevented from learning.

*Education of the child shall be directed to the development of the child's personality, talents and mental and physical abilities to their fullest potential [and] the development of respect for human rights and fundamental freedoms.*

*- Convention on the Rights of the Child, Article 29*

Yet every day young people face indifference and mistreatment in the classroom, and are subjected to zero-tolerance discipline policies that punish, exclude and criminalize students rather than teach positive behavioral and educational skills.

This report documents these practices in New York City and Los Angeles, the two largest urban public school districts in the U.S. The overwhelming majority of students in both school systems are students of color and come from low-income communities. By focusing on these two locations, we hope to provide analytical depth regarding the impact of school policies, while demonstrating that the abusive school cultures documented in this report are not isolated phenomena in one neighborhood or city.

Schools that function within such punitive environments, also generally have very poor educational outcomes. Reform efforts are underway to address this crisis of low achievement, including initiatives to create smaller schools. While the goals of these efforts are laudable, they will not be effective unless broader systemic rights violations are addressed stemming from these punitive strategies, as well as a lack of supportive resources for teachers and students, and chronic under-funding. Furthermore, to positively impact the school environment, students, parents and communities must have meaningful participation in the development and implementation of school policies.

The findings and recommendations in this report are based on interviews and focus groups we conducted with over 80 students, parents, and teachers, as well as analysis of existing data and research studies. The documentation was conducted by the National Economic and Social Rights Initiative (NESRI) with assistance from community-based organizations in both cities.

## FINDINGS

### DEGRADING TREATMENT IN THE CLASSROOM

Students in New York City and Los Angeles reported experiencing verbal abuse, neglect and mistreatment from teachers. Too often, students are targeted based on their racial, class, or family backgrounds. This demeaning treatment undermines students' right to dignity and education. It destroys students' motivation to learn and contributes to low attendance and misbehavior. While individual teachers must be held accountable for their conduct, we recognize that teachers on the whole should not be blamed. Teachers do not have the training and support they need to develop positive relationships with students and to be effective educators.

#### • *Degrading and Abusive Comments*

Half of the students we interviewed said that their teachers *sometimes* or *most of the time* say things that humiliate or insult them. Every student experienced or witnessed incidents when teachers call students "stupid." In more extreme cases, teachers tell students they are "ugly" or "worthless." Some students are repeatedly humiliated by a particular teacher. Over one third of the students said that the way they are treated by teachers makes it harder for them to learn.

*"My science teacher would tell me over and over again 'you're never gonna be nobody.' So I stopped going to that class."*

*- 17 year-old 11<sup>th</sup> grade Latino student, LA*

#### • *Disparate Treatment and Racial Discrimination*

Almost half of the students we interviewed in New York City, and two thirds of the students in Los Angeles, said that teachers treat students differently based on their racial or ethnic backgrounds. One third of the students said that they are *sometimes* or *most of the time* treated worse because of how they

look or dress. Teachers told African American and Latino students that they would "end up in the ghetto like everyone else" from their neighborhood.

#### • *Indifference Toward Students*

Students and parents reported that a substantial number of teachers appear indifferent to and/or ignore serious academic or social problems faced by students. Almost two thirds of the students said their teachers *rarely*, *never* or only *sometimes* help with problems they are having. Almost every student felt that many teachers "don't care" and reported hearing teachers say they are "only there to get paid."

### UNFAIR PUNISHMENT AND DENIAL OF EDUCATION THROUGH DISCIPLINE

Schools in New York City and Los Angeles subject students to excessive and inappropriate suspensions and other punishments that alienate and exclude them from the learning process. Students and parents that we interviewed acknowledged that suspensions and other removals can be an appropriate response to serious disciplinary problems, in particular when students commit dangerous and violent offenses. However, when school staff remove students for trivial misconduct and deny them the counseling and educational services to which they are entitled, their rights to dignity and education are undermined.

#### • *Excessive and Unfair Suspensions and Transfers*

In New York City high schools, the citywide suspension rate is 6 percent.<sup>i</sup> But in some schools, such as Samuel J. Tilden High School, the rate is 19 percent or more. In Los Angeles, the average suspension rate is 10.5 percent, but for one quarter of the senior high schools the rate increases to 20 percent or more, at least one in five students.<sup>ii</sup> Our interviews and focus groups suggest that schools impose a large number of these suspensions for minor disciplinary infractions that add up to significant losses in learning. Students reported suspensions of several days to several weeks for talking back to teachers, arguing with other students,

or carrying markers because they could be used to draw gang related images on folders. This unfair treatment makes students feel angry and distrustful of staff.

• ***In-School Removals and Hidden Punishments***

In addition to out-of-school suspensions and transfers, students reported being removed from class and sent to various kinds of detention rooms for disruptive behavior. In some cases this happens on a regular basis for several days, or in extreme cases, for weeks. The schools we researched do not record these informal punishments, failing to meet human rights obligations to monitor school policies and practices. We found that parents are not always notified of these removals, and students are not given the opportunity to appeal the decisions, undermining due process rights.

• ***Extreme Discipline Leads to Pushout***

Excessive and unfair disciplinary measures can set in motion a process that pushes targeted students out of school. Students and parents reported that some students who are labeled as troublemakers and/or are struggling academically are intentionally pushed out by being expelled, transferred, or counseled out by staff. Teachers acknowledged that some schools openly push students out as a strategy to reduce overcrowding and avoid the burden of helping students with special academic or behavioral needs. In other cases, schools subject students to repeated suspensions and removals without supportive services, contributing over time to alienation and misbehavior which can lead to pushout. These pushouts contribute to low graduation rates of 38 percent in New York City and 46 percent in Los Angeles.<sup>iii</sup>

• ***Failure to Provide Counseling and Other Proactive Responses***

Most students interviewed reported that their schools rarely offer counseling, mediation, or other supportive services. Over half of the students said that guidance counselors are *rarely* or *never* involved when they are disciplined. When students try to

reach out to guidance counselors themselves, they are either told they must wait, or that the counselors have no time to help with disciplinary problems. This lack of services is of particular concern when schools suspect that students are involved with gangs or have significant problems at home.

*“They never want to hear what I have to say...It doesn’t matter who started a fight, or what a teacher said to you that made you mad. You might have something heavy going on at home but no one asks. They’re not interested. They just want you out of the school.”*

*- 17 year-old 11<sup>th</sup> grade African American female student, NYC*

• ***Lack of Educational Services During Removal***

During out-of-school suspensions and transfers, many students reported that they do not receive alternative academic instruction or supervision. In several cases, schools deny requests from students and parents for homework or class work they miss. During in-school removals students said they are placed in detention or “study” rooms and are rarely given work to do. Even when students are given work, they are often left unsupervised or monitored by staff who “pay no attention to them.”

• ***Disparate Punishments Based on Race and Social Characteristics***

Schools disproportionately target students of color for suspensions and other punishments. In New York City in 2001, the suspension rate in high schools was 8.3 percent for African American students and 4.8 percent for Latino students, compared to only 2.5 percent for White students.<sup>iv</sup> In Los Angeles in 2004, African American students made up 27 percent of all school suspensions, but only 12 percent of the student body.<sup>v</sup> Students and advocates also reported that students of color are penalized more often than White students for minor disciplinary infractions that are often highly subjective. For example, students of color may be reprimanded or even suspended for wearing clothes that are deemed

gang related or walking through hallways in large groups, while White students freely congregate and wear the same clothes without being reprimanded. African American and Latino students believe that adults assume they are always “looking for trouble” regardless of their actual behavior.

## THREATENING POLICE PRESENCE AND ABUSIVE SECURITY MEASURES

School districts across the country increasingly use police officers, metal detectors and other aggressive security measures. While students and parents agree that some security measures are necessary in schools to address issues of violence and safety, most students reported that the presence of armed police officers who criminalize minor misbehavior can create tense and destructive school environments.

### • *Police Presence and Metal Detectors*

One third of students reported they *sometimes* or *most of the time* feel threatened by the presence of police, many referring to the sight of loaded guns. Almost every student said that heavy police presence makes schools feel like jails and students feel like criminals, while only half said police presence *sometimes* makes them feel safer. About half of the students interviewed also have metal detectors in their buildings. Of those students, less than one half said that metal detectors make them feel better about their school. Even students who felt safer said that metal detectors create conflict and resentment between students and officers when students wait on long lines or are treated rudely. Many students are penalized, at times some are even suspended for being late to class because of the long lines caused by metal detectors.

### • *Police Intervention in School Disciplinary Measures*

Over half of students interviewed reported that when they face disciplinary action in school, police or safety officers are involved *sometimes* or *most of the time*. These disciplinary actions usually involve matters that were traditionally dealt with by school

staff. Students felt strongly that police involvement in most incidents, ranging from disruptive behavior in the classroom to school fights, is unjustified and inappropriate. At the same time, teachers reported that they are removed from the disciplinary process, which means that students are even less likely to receive counseling or other proactive interventions.

### • *Police Tactics*

Many students reported experiencing or witnessing police and safety officers handcuffing, patting down students, taking students to detention rooms, and *even arresting* students for being disruptive in hallways or being involved in school fights. In Los Angeles, teachers and students reported that police give some students tickets and fines of up to \$250 for truancy. They feel that in most situations these police tactics are used as an unnecessary show of force to intimidate students, making them feel threatened and disrespected.

### • *Excessive Force and Harm to Students*

Students, parents and teachers reported that police and safety officers have used inappropriate physical force to subdue and intimidate students, often when dispersing crowds or breaking up fights. Students complained of police and even some safety officers using the tactic of “slamming” students against the walls or on the ground. In Los Angeles, several students and teachers described incidents when police used mace on students. Police and safety officers also conduct searches that violate students’ privacy and cause emotional harm.

*“The security guard accused me of having a knife... They took me to a room and made me take off my shirt and pants to check my bra. They didn’t call my parents or let me talk to a teacher I know. I didn’t have a knife just like I told them.”*

*- 14 year-old 9<sup>th</sup> grade Chinese American female student, NYC*

## RECOMMENDATIONS

To protect the right to education and dignity of all students, school systems should:

**1. Implement whole school approaches to creating welcoming school environments.** School systems should take an integrated approach to improving school culture and discipline. This includes reducing class size, improving school facilities, providing better counseling and mentoring for students, and providing more staff development.

**2. Expand training and resources for school staff development.** School systems should provide classroom management and mediation training for teachers, and leadership training for principals.

**3. Create clear guidelines for staff behavior and effective enforcement policies.** There should be clear standards for appropriate behavior for students, teachers, and other staff. Schools should establish effective enforcement processes to ensure compliance, such as having advocates or mediators available to resolve conflicts or investigate incidents.

**4. Focus on counseling and services for individual students rather than zero-tolerance responses.** School districts should modify discipline codes and allocate additional resources to prioritize preventive strategies, as well as counseling and support services, as mandatory first steps when disciplining students. School systems should increase the number of guidance counselors in schools. School administrators should avoid removing students from school whenever possible. When the suspension, expulsion, or transfer of a student is necessary, the student should have continued access to alternative sources of education and receive appropriate counseling.

**5. Remove armed police officers from schools and establish special guidelines and training for school safety officers.** Armed police officers should not have a regular presence in schools. School systems should develop clear mandates and guidelines for school safety officers with the participation of students and parents. Principals should have expanded authority over safety responses.

**6. Eliminate discriminatory practices and outcomes in the classroom and disciplinary measures.** Staff should receive training to prevent discriminatory treatment and to increase their knowledge of the social, cultural and linguistic backgrounds of students. Schools should implement processes to hire more teachers who represent the racial and cultural backgrounds of their students. School districts should collect data on the demographics of students who are disciplined, and should disseminate the data to identify and address the disparate impact of policies.

**7. Increase student participation in discipline and other school policies.** Students should participate directly in developing and implementing discipline and safety policies at the district and school level. Schools should also create mechanisms for students to participate directly in disciplinary processes, such as peer mediation programs, peer juries, and peer mentoring.

**8. Ensure parent and community participation.** Teachers should notify parents when there is a problem with their child and parents should be notified and involved in the decision to discipline their child. Parents and communities should participate in the planning and implementation of school safety and discipline policies.

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**Endnotes:**

<sup>i</sup>School Report Cards 2003-2004 and 2004-2005. New York City Department of Education.

<sup>ii</sup>District and School Profiles. Data for 2004-2005 school year taken from 59 senior high schools. Los Angeles Unified School District (LAUSD).

<sup>iii</sup>Orfield, Gary, Daniel Losen, Johanna Wald and Christopher B. Swanson. *Losing Our Future: How Minority Youth are Being Left Behind by the Graduation Rate Crisis*. Civil Rights Project at Harvard University, 2004.

<sup>iv</sup>Eskenazi, Michael, Gillian Eddins and John M. Beam. *Equity of Exclusion: The Dynamics of Resources, Demographics, and Behavior in the New York City Public Schools*. Fordham University: National Center for Schools and Communities. October 2003.

<sup>v</sup>District Profile 2004-2005. Los Angeles Unified School District (LAUSD).

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