



# LESSONS IN RACIAL JUSTICE AND MOVEMENT BUILDING:

**Dismantling the  
School-to-Prison Pipeline  
in Colorado and Nationally**

**BY PADRES & JÓVENES UNIDOS  
AND ADVANCEMENT PROJECT**

# TABLE OF CONTENTS

3..... **Introduction**

5..... **Section One: The School-to-Prison Pipeline and Its Origins**

- 5..... Understanding the Problem
- 7..... “Zero Tolerance” and Racialized Enforcement
- 8..... School Policing and Prison-Like Environments
- 8..... Worsening Resource Inequities
- 8..... Lack of Accountability
- 9..... The National Context

11..... **Section Two: The Dismantling of the School to Prison Pipeline in Denver and Throughout Colorado**

- 11..... **2.1 Cole Middle School Reform**
- 11..... Problem, Impact, and Proposed Solution
- 12..... Critical Elements of the Campaign Research
- 12..... Organizing
- 13 ..... Policy Advocacy
- 13 ..... What We Won

15 ..... **2.2 Denver Public Schools Discipline Policy Reform (2003- 2008)**

- 15 ..... Problem, Impact, and Proposed Solution
- 15 ..... Critical Elements of the Campaign
- 15 ..... Research
- 16..... Strategic Communications
- 16..... Organizing
- 16..... Policy Advocacy
- 17..... Overcoming Obstacles
- 19..... What We Won
- 20..... The Struggle Continues
- 20..... Resources

20..... **2.3 Passage of Colorado Smart School Discipline Law (2010-2012)**

- 20..... Problem, Impact, and Proposed Solution
- 22 ..... Critical Elements of the Campaign
- 22 ..... Research
- 22 ..... Organizing and Strategic Communications

23 ..... **Legislative Advocacy- Year One**

- 24..... Legislative Task Force
- 24..... Strategic Communications

25 ..... **Legislative Advocacy- Year Two**

- 26..... What We Won

- 27..... The Struggle Continues

- 27..... Resources

27..... **2.4 Police Reform in Denver Public Schools ( 2012-2013)**

- 27..... Problem, Impact, and Proposed Solution
- 27..... Critical Elements of the Campaign

- 28..... What We Won

- 29..... The Struggle Continues

- 29..... Resources

29..... **2.5 School Discipline Accountability (2009- Present)**

- 29..... Problem, Impact and Proposed Solution

- 30..... Critical Elements of the Campaign

- 31..... What We Won

- 31..... The Struggle Continues

- 31..... Resources

32..... **Section Three: Our Results**

- 32..... Denver Public Schools: School Discipline Progress Table

- 33 ..... Colorado Public Schools: School Discipline Progress Table

34 ..... **Section Four: Lessons in Racial Justice and Movement Building**

- 34 ..... Grassroots Organizing as the Driving Force for Transformative Change

- 36..... Movement Victories, Not Policy Victories

- 37..... Elevating the Role of Race

- 37..... Leadership of Youth of Color

- 38 ..... The Persistence of the School-to-Prison Pipeline and Its Beneficiaries

- 41..... Participatory Democracy and Self-Governance

- 41..... Building Unity

- 42..... Changing the Public Dialogue

- 43..... Key Role of Resource Allies

- 45..... The Need for Deep Engagement

- 45..... The Challenge of Enforcing and Implementing our Movement Victories

46 ..... **Conclusion**

- 47..... End Notes



# INTRODUCTION

When Padres & Jóvenes Unidos (PJU) and Advancement Project began working to address excessively harsh and discriminatory school discipline, the term “School-to-Prison Pipeline” had not even been invented yet. School discipline was at best a fringe issue in mainstream education policy discussions, what little news coverage there was generally favored the zero-tolerance approach, any policy changes were directed at making school discipline more punitive, and there were very few organizing groups or advocacy organizations that had devoted themselves to addressing these issues at a systemic level. In short, the conditions were far from optimal for creating change.

Why, then, did we devote ourselves to dismantling what became known as the School-to-Prison Pipeline? Because we simply could not ignore the devastating effects that harsh “zero-tolerance” policies were having on PJU’s community in Denver and in communities of color across the country. Because these policies undermined education quality, and posed a grave threat to the fundamental right to education. Because our young people were being pushed out of school and criminalized within their schools at alarming rates. And because it was overwhelmingly Black and Brown youth who were most affected, thus exacerbating our already profoundly inequitable education and juvenile justice systems.

Now, over a decade later, the collaboration between PJU and Advancement Project has produced a remarkable transformation in the ways in which youth of color, and all students, are treated in Denver Public

Schools (DPS). We have also created a profound shift in the policy landscape and dialogue around school discipline issues throughout Colorado. And these local and statewide victories have reverberated nationally, serving as catalysts for other reforms and broader movement-building efforts. In fact, over the last several years, a vibrant and robust national movement has emerged to address the School-to-Prison Pipeline, and there has been a dramatic sea change across the country with regard to school discipline. Most recently, in January the Departments of Justice and Education responded decisively to our movement by releasing a civil rights guidance on ending racial discrimination in school discipline. While there have been many individuals, organizations, and institutions that have made invaluable contributions to these efforts, we believe that the work of grassroots organizations like PJU has been absolutely central to building, expanding, and sustaining the movement. Indeed, were it not for organizations like PJU struggling against some of the most powerful and pernicious forces within our education and juvenile justice systems, we submit that very little of this progress would have been attainable.

Over the years we have had countless people ask us how we achieved these results, and we have come to realize that within the story of our work – both our successes and our failures – there are lessons learned that can be useful for others who are actively engaged in this movement and all other social and racial justice movements. What follows is our attempt to describe what we did, why we did it, how we did it,

## OUR GOALS IN SHARING THE DENVER STORY ARE THE FOLLOWING:

1. To provide a roadmap for other organizations and communities addressing similar unjust and discriminatory policies and practices.
2. To strengthen our collective understanding of how the School-to-Prison Pipeline movement was built, and what lessons that holds for other social and racial justice movements.
3. To demonstrate the power of multiracial organizing and advocacy led by youth of color.
4. To provide an example of how organizing and advocacy that is explicitly framed as a racial justice issue can produce far more significant results than race-neutral efforts.
5. To share a successful model of long-term collaboration between a local grassroots organization and a professional national partner.

and how, from our perspective, it connects to broader forces and changes.

Section One of this report describes how PJU came to work on school discipline issues and presents our analysis of the School-to-Prison Pipeline’s origins. Section Two describes PJU’s five organizing and advocacy campaigns, and Advancement Project’s role in supporting them, highlighting elements that could be relevant for others engaged in similar efforts. Section Three includes a brief data snapshot of the progress that PJU and Advancement Project have made together.

## A TRUE PARTNERSHIP

The vast majority of the work described herein has been the product of a rare, long-term partnership between, PJU, a grassroots community organization, and Advancement Project, a national racial justice organization. Over the years, our two organizations have built a deep partnership, grounded in mutual respect and trust. While we have very different strengths and core capacities, we have always shared the same goals. We have also shared a commitment to avoiding the pitfalls that frequently derail partnerships between local and national organizations. Now, after many years of consistent collaborative work, we can each say with confidence that the results we have achieved in Colorado would not have been possible without the other. While each of our organizations could have independently made some important contributions, the combined effect of our respective skillsets, sustained over time, has been far more powerful.

And Section Four presents some of our overarching reflections on the last 13 years of work, offered with the hope that together we can more effectively challenge the system of laws and public policies that impede the advancement of low-income communities and communities of color across the country.

**SECTION ONE:**

# THE SCHOOL-TO-PRISON PIPELINE AND ITS ORIGINS

A defining feature of the country’s public education system is the massive racial inequality and inequity across states, across communities, and within schools. There has simply never been a time in U.S. history in which Black, Latino, Asian, and Indigenous families have not had to contend with systematic denial of education or relatively inequitable educational opportunities, relative to those of White families. Even when social movements have compelled advances in the overall quality of public education, the gaps between learning opportunities for students of color and those of White students have always been preserved. To be sure, there have been some periods of our history in which policy and cultural changes have narrowed those gaps. However, during many others, they have been widened. Usually, these changes have been slow to occur, taking shape over the course of decades. However, there have also been rare occurrences in which seismic shifts in policy have fundamentally reshaped our school systems, rapidly and dramatically changing the educational experiences of students of color.

In Denver, as in many communities across the country, an especially striking and dangerous shift began in the late 1990s. Our first warning came with what appeared to be isolated incidents at two of our local schools, both of which served almost entirely working-class youth of color. First, we learned that a local middle school had established a

police substation within the school building and that students were being routinely frisked and harassed when entering the school. Second, a school resource officer (SRO) at a local high school discovered that a popular student was undocumented and had a warrant for not paying a speeding ticket. The SRO turned the student over to a local policeman, who then put him in the back of his police cruiser, drove around the neighborhood until he found Immigration and Naturalization Service (what is now “ICE”) officers conducting a raid, and turned the student over to them. He was subsequently deported.

As we organized and advocated around these incidents – ultimately removing the police substation and bringing the student back to Denver on a student visa – we learned that these incidents were not isolated. Instead, we recognized that, particularly following the shooting at nearby Columbine High School in 1999, there were profound systemic changes quickly taking hold both in Denver and in other low-income communities of color across the country.

## UNDERSTANDING THE PROBLEM

To better understand these dynamics, PJU began an intense and multi-year participatory research process, involving individual and group interviews,

**Table 1**

Data Snapshot: School Discipline in Denver Public Schools  
2003-2004 School Year

Source: Colorado Department of Education

	Enrollment	Out-of-School Suspensions	OSS per 100 Students	Expulsions	Expulsions per 100 Students	Referrals to Law Enforcement	Referrals per 100 Students
All Students	72,103	13,423	18.6	146	0.20	1,399	1.9
Black Students	13,577	4,598	33.9	51	0.38	257	1.9
Latino Students	41,166	7,075	17.2	83	0.20	982	2.4
White Students	14,220	1,390	9.8	10	0.07	129	0.9

surveys, and quantitative data analysis. Through the interviews and surveys, we became familiar with the litany of school discipline abuses that have now become familiar, but at the time were quite novel: out-of-school suspensions being routinely used in extremely harmful ways – such as for being late to school or skipping school – or for “offenses” as benign as asking too many questions in class; students being expelled without reasonable justification or any parental notification; Denver police officers handling routine disciplinary matters by sending students to juvenile court; students being harassed and mistreated by SROs and security guards; and large numbers of Black and Brown students being alienated from their education, harmed emotionally and psychologically, and actively pushed out of school by some combination of these harsh and extreme practices.<sup>1</sup>

Through our quantitative data analysis, we learned that DPS had dramatically expanded its use of out-of-school suspensions, expulsions, and referrals to law enforcement, and especially for youth of color (see table

1 ). For example, when compared to White students, Black students were over three times more likely to be

## LESSONS IN RACIALIZED DISCIPLINE

In Denver, as in most places, the worst racial disparities were for offenses such as “disrespect,” “insubordination,” and “disorderly conduct.” At the schools in which these highly-subjective categories frequently led to harsh disciplinary consequences, we found that it typically indicated far more about the heavily racialized views of respect, hierarchy, and order among the educators of that school than it did about the character or conduct of the offending students.

suspended out-of-school, over five times more likely to be expelled, and over twice as likely to be referred to law enforcement.<sup>2</sup> Latino students were almost twice as likely to be suspended and almost three times as likely to be expelled and referred to law enforcement, compared to White students.<sup>3</sup> We also learned that the vast majority of harsh punishments were being issued for developmentally normal behaviors that posed no threat to school safety. Indeed, even among the referrals to law enforcement, which were presumably the most serious incidents, fewer than 20% were for weapons offenses, robberies, or serious assaults.<sup>4</sup>



We had long been familiar with the failure of the education system to meet the needs of youth of color and its frequent hostility toward Black and Brown youth. And the dehumanization and over-criminalization of people of color by police and the court system was certainly nothing new to our communities. These forms of structural racism – in which institutional and systemic factors produce the continuing oppression of people of color – had existed since the day our school and justice systems were formed. However, what was new was the way in which these largely separate forces of institutional oppression had been joined together to form an especially potent form of structural racism: the School-to-Prison Pipeline.

All of a sudden, Black and Brown students as young as 5-years-old were not only being branded as “future criminals,” but were being treated as such. The same “zero-tolerance” and “tough-on-crime” policing tactics that had long plagued our communities – particularly since the launch of the “War on Drugs” – were now being used against children in the hallways, classrooms, and playgrounds of our schools.<sup>5</sup> And the fear of, and perceived need to control, youth of color had spiked to the point that it became far easier than ever before to push them out of school, and they were being actively put on a track toward prison.<sup>6</sup>

In Denver, there were some key policy drivers and features of this shift:

## “ZERO TOLERANCE” AND RACIALIZED ENFORCEMENT

The school district had implemented highly punitive school discipline policies and practices that mirrored changes that had previously led to the massive increases in adult incarceration within the criminal justice system.<sup>7</sup> However, while “zero tolerance” became the catch-all phrase used to describe the dominant discipline philosophy, there certainly wasn’t zero tolerance in every school, or for every student. Students of color were often treated far more harshly than their peers as a result of both conscious and unconscious racial biases, such as perceptions that students of color are:

- ▶ **More threatening and prone to violence;**
- ▶ **Lacking self-discipline; and**
- ▶ **Less interested in education.**<sup>8</sup>

Thus, what materialized was a sliding scale of tolerance, largely determined by the race of students, though class, and gender also played significant roles. True “zero tolerance” was largely reserved for Black and Brown youth from low-income families, and males in particular. Middle and upper-middle class White students almost never encountered zero tolerance (though as time passed, they too started to feel the effects). For them, there continued to be seemingly boundless tolerance for their misbehavior, usually chalked up to “youthful mistakes.”



## SCHOOL POLICING AND PRISON-LIKE ENVIRONMENTS

DPS dramatically changed the physical space and feel of many schools to reflect an increasingly harsh disciplinary environment. There was a sharp increase in the presence and role of police and security guards and an expansion of security hardware (metal detectors, surveillance cameras, etc.). This produced an unprecedented increase in the police presence within these students’ lives. Of course, the use and role of police weren’t expanded in all schools; it was in communities of color that encountering police in schools became a part of the daily student experience. For example, in 2003-04, roughly half of the school districts in Colorado did not refer a single student to law enforcement.<sup>9</sup> However, the districts that served large numbers of youth of color typically had hundreds or even thousands of such referrals.<sup>10</sup>

The district claimed that SROs made schools safer and more orderly, yet we saw very little evidence of that. While there were certainly some individual SROs who made positive contributions within their assigned schools, many others routinely escalated situations with students, directly or indirectly provoked additional violence or disruptive behavior, and contributed to an unhealthy school climate.<sup>11</sup> They also became the de facto disciplinarians within many schools, transforming the juvenile justice system into what the principal’s office had been for previous generations. Thus, instead of schools serving as sanctuaries from harsh and punitive treatment by law enforcement, Denver’s Black

and Brown students were increasingly, and justifiably, declaring that their schools felt like prisons.

## WORSENING RESOURCE INEQUITIES

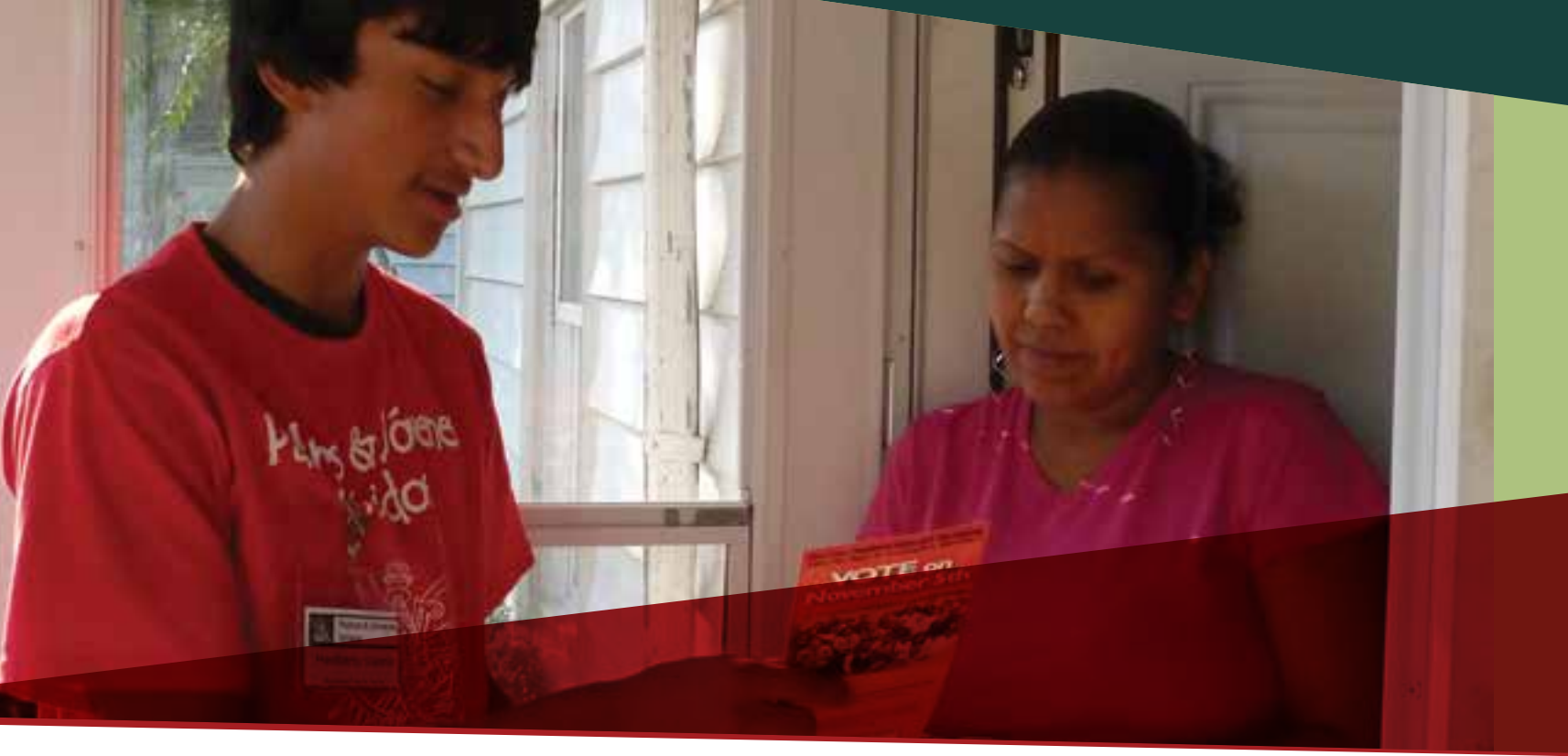
One effect of the above dynamics was a deepening of the longstanding resource inequities faced by communities of color. The resources that were allocated for counselors, school psychologists, and afterschool programs in other districts went towards school police, security guards, and surveillance cameras in our schools. More broadly, funds that could have been used to benefit the schools in our communities were instead being rerouted to expand police forces and the juvenile justice system. In other words, an increasing percentage of our public funds were being used in ways that actually harmed youth of color.<sup>12</sup>

## LACK OF ACCOUNTABILITY

Additionally, schools were given virtually unrestricted and unaccountable authority around school discipline practices, which produced dramatic variances in disciplinary practices, both within schools and across schools. In some schools – largely those serving predominantly White students – school discipline was administered fairly and responsibly, as it always had been. In others, and especially those serving mostly Black and Brown students, it became extraordinarily punitive. And there was virtually no accountability for

# DISPOSABLE YOUTH

A common refrain that was successfully used to justify harsh disciplinary practices was that “one student shouldn’t be allowed to disrupt the education of kids who want to learn.” Or put more colorfully, “one bad apple shouldn’t be allowed to spoil the bunch.” Putting aside the fact that the “bad apple” and the “kid who just wants to learn” are oftentimes the same student, this simple, superficially appealing bromide rests on the idea that some students can be sacrificed for the good of others. Put another way, it suggests that some students are disposable. And when that notion was put into practice by arming school administrators and police with virtually limitless power and discretion to impose the most punitive forms of school discipline, the results were catastrophic for many Black and Brown youth.



the excesses and abuses within certain schools, or the shocking disparities across school.

Thus, it was both institutional action and inaction that fundamentally reshaped the relationship between schools and the youth they were supposed to serve, creating schools that very quickly had become dramatically more hostile to the interests of students of color. Any notion that schools within communities of color were going to be nurturing, youth-friendly spaces dedicated to meeting the developmental needs of students was eradicated. Instead, our schools rapidly became unsafe and unhealthy spaces in which students of color were forced to routinely endure demeaning, repressive, and oppressive practices.<sup>13</sup> And for the first time, the education system had become inextricably linked with the juvenile justice system. They were now tethered together, creating an unusually swift and severe disposal system for youth deemed undesirable or unworthy of their education.

## THE NATIONAL CONTEXT

While the incident at Columbine High School and other high-profile violent incidents at schools were certainly

influential in sparking the creation of the School-to-Prison Pipeline, they were not alone. In fact, there were a number of broader forces and policy shifts that contributed to the rise of zero-tolerance school discipline, many of which began to take shape during the Reagan era:

- ▶ **“Get-Tough” Policing, the Drug War, the War on Gangs, and the Rise of the Prison-Industrial Complex:** Beginning with the Reagan Administration’s launch of the War on Drugs, policymakers across the U.S. embraced a renewed effort to get “tough on crime,” leading to extraordinary increases in the number of people behind bars. In fact, from 1987 to 2007, the national prison population nearly tripled.<sup>14</sup> At the same time, funding for prisons skyrocketed. For example, in Colorado, state per capita funding (adjusted for inflation) for prisons increased by over 630% between 1987 and 2002.<sup>15</sup>
- ▶ **Rollback of Social Welfare Programs:** During the 1980s, there was a strong push by conservative politicians to eliminate many social welfare programs. Combined with the emphasis on getting “tough on crime,” the effective result was

that criminalization and incarceration became the primary mechanisms for poverty management.

- ▶ **War on Immigrants and the Culture Wars:** Both at the state level (such as Proposition 187 in California and anti-bilingualism efforts by Ron Unz) and at the federal level (such as the “Illegal Immigration Reform and Immigrant Responsibility Act”), immigration policy moved sharply to the right in the 1980s and 90s, leading to dramatically increased criminalization of immigrants and militarization of the US/Mexico border.<sup>16</sup> Additionally, and as a response to the cultural revolutions of the 60s and 70s, there were high-profile attacks on “multiculturalism,” including the first campaigns against Ethnic Studies programs and multicultural textbooks, calls for returns to traditional “American” culture and values, and condemnations of government funding for multicultural art and culture.<sup>17</sup> These dynamics naturally filtered into school systems, including Denver’s, where students began being punished for speaking Spanish (or not speaking English well enough), and there was broad hostility toward providing parents and students with Spanish translations of important documents and meetings (such as suspension notices and disciplinary hearings).
- ▶ **The Super-Predator Theory:** Following an increase in juvenile crime rates during the mid-1980s, the media soon latched onto the “super-predator theory,” which held that America was under assault by a generation of brutally amoral young people. Fueled in significant part by a series of highly publicized crimes, and despite significant drops in juvenile crime rates beginning in the early 90s, the super-predator theory swayed public opinion toward harsher treatment of youth.<sup>18</sup>

- ▶ **“Colorblindness”:** This effort to eliminate any mention of race – such as in the anti-affirmative action campaigns of the 1990s – served to both conceal and deepen systemic racism by drawing attention away from the root causes of social injustice.

- ▶ **Racial Coding:** While it was no longer acceptable to make racially-explicit public policy arguments, the political right became adept at exploiting racially charged code words and concepts that resonated with White audiences, such as:

- ▷ The social safety net must be cut because of [Black] “welfare queens.”
- ▷ Specialized police forces are needed to deal with the [Latino] “gang problem.”
- ▷ Zero tolerance is needed to deal with “out-of-control youth” [of color].

...

In short, our decision to address the School-to-Prison Pipeline was not a simple matter of changing school discipline policies. We were up against a powerful manifestation of an entire system of oppressive and regressive cultural, political, and social forces. We knew that it would not be enough to merely demonstrate the harms of harsh school discipline policies and provide superior alternatives. It wasn’t going to matter if we won the battle of ideas; the roots of the problem were simply too deep. We knew that it would be an elemental struggle of power; that we would have to summon the popular force necessary to change hearts and minds and force policymakers to take action.



## SECTION TWO:

# THE DISMANTLING OF THE SCHOOL-TO-PRISON PIPELINE IN DENVER AND THROUGHOUT COLORADO

Since 2000, PJU has waged five successful campaigns aimed at dismantling the School-to-Prison Pipeline in Denver and throughout Colorado. We started by reforming one school's policies, then applied those lessons learned to a district-level campaign, and then progressed to the state level. Each campaign was focused on a particular policy, or lack of policy, that was leading to the pushout and criminalization of youth. The campaigns were:

- ▶ **Cole Middle School Reform (2000-2003)**
- ▶ **Denver Public Schools Discipline Policy Reform (2003-2008)**
- ▶ **Passage of Colorado Smart School Discipline Law (2010-2012)**
- ▶ **Denver School Police Reform (2012-13)**
- ▶ **School Discipline Implementation and Accountability (2009-Present)**

Below we discuss why we elected to initiate each campaign, the key factors that led them to be successful, and the changes they produced.

## 2.1. COLE MIDDLE SCHOOL REFORM (2000-2003)

### PROBLEM, IMPACT, AND PROPOSED SOLUTION

Cole Middle School was a nearly all-Chicano and Black school in which virtually every student was living in poverty. It was also the lowest performing middle school in the state; in fact, only about half of the youth who entered in 6<sup>th</sup> grade would go on to high school after 8<sup>th</sup> grade. Parents were outraged at how students were being disciplined, and called in PJU to assist with organizing. We learned that zero-tolerance discipline was being used to push students out of school en masse, the majority of which were young boys of color. Also, with police being called almost daily to deal with discipline issues, the school's excessive disciplinary practices were creating a toxic school climate that was directly undermining academic achievement.

## CRITICAL ELEMENTS OF THE CAMPAIGN RESEARCH

Our first step was to learn from parents and students what was happening in the school and how it was affecting them. A long standing parent member of PJU organized the first meeting at his house, and when our organizers arrived, they saw over thirty parents crowded into his living room with a long line of young boys of color stretching out onto the front porch. In order for everyone to be heard, we had to continue the meeting for the next several nights, and by the end we had heard dozens of stories of students who had been treated abysmally. These young boys of color had quickly internalized the message that they were not wanted in the school, and thus were being pushed out to the streets and to the jails.

To deepen our understanding of these dynamics, we began accompanying students and parents to expulsion hearings and attending hearings at Courtroom 191J, the juvenile court for students who received police tickets. We also educated ourselves on district regulations so that we would have a better understanding of the systems parents and students were encountering (and so that we would be better able to assist parents and students through these processes). And through hundreds of house visits and one-on-one organizing conversations, we conducted the deep social investigation that generates the type of knowledge and understanding that is typically ignored by large institutions. We were able to get behind the numbers and policies and start to grasp the true impact

of these policies and practices on individuals and the entire community.

## ORGANIZING

A key component of our campaign was uniting the Black and Chicano parents around a shared analysis and set of solutions. We recognized that without that unity, we would not have been able to generate a result that met all students' needs. However, because of the effects of internalized racism and efforts to pit communities of color against each other, it was initially challenging to find common ground. Chicano parents and Black parents were uncomfortable with each other, and each harbored distrust of the other that was grounded in racist stereotypes perpetuated by mainstream culture. In fact, at first, neither Black nor Chicano parents would even allow the other into their homes.

We were able to break through this division through a process of political education and consciousness-raising, as well as through careful framing of our campaign. For example, we held popular education workshops for Mexican mothers on Black history, teaching about the middle passage, slave auctions, the separation of families, and the history of lynchings. We held similar workshops for Black mothers on the history of the conquest and annexation of the Southwest, the brutality of the conquest and war, the lynchings of Mexicans, and other manifestations of racism such as "No Dogs, No Mexicans" signs. Neither

Cole Middle School Reform (2000-2003)

Denver Public Schools Discipline Policy Reform (2003-2008)

Passage of Colorado Smart School Discipline Law (2010-2012)

Denver School Police Reform (2012-13)

School Discipline Implementation & Accountability (2009-Present)



## FROM COLE MIDDLE SCHOOL TO NORTH HIGH SCHOOL

Toward the end of the Cole campaign, the newly formed Jóvenes Unidos launched a new campaign to reform North High School. We applied what we had learned at Cole to conduct a survey of students to better understand what was causing so many North students to become alienated from their education. Through this survey and subsequent report, “The Voice of Over

group had ever been taught the other’s history, and they were both shocked at the deep connections in their people’s experiences. Many of them wept and said they would gladly accept the other into their homes.

Additionally, we led the campaign by declaring Cole Middle School an “Equal Opportunity Failure” for Latino and Black families. On flyers we showed the virtually identical – and terrible – academic achievement levels for both Latino and Black students. And we created a unifying campaign message: “Education is a Right, Not a Privilege.”

### POLICY ADVOCACY

While the key initial demands at Cole were around ending school pushout, we quickly realized that we could not separate discipline and overall academic quality. Over and over, we would hear in response to our demands that “nothing could be done” to help poor youth of color do better in schools. This thinly veiled racist attitude routinely served as the justification to give up on students of color, and school discipline naturally became the mechanism used to control them or, if they would not be controlled, to discard them.

We directly confronted that mindset by finding and visiting some of the nation’s most innovative and effective schools operating in communities similar to our own. The schools we visited had shattered the

700 Students - North High School,” parent and student members put forth a clear analysis of North’s failings, including the exposure of inflated graduation rates, the jail-like culture of the school, and the sexist and oppressive role of the SROs. Included within the report were our members’ comprehensive set of demands, including academics, discipline, college preparedness, and school culture, which was the first time that we had fully connected all of these elements. Thus, it was at North that we developed our full analysis of the School-to-Prison Pipeline.

racist argument that students of color living in poverty did not have the intellectual capacity to succeed academically. They were thus instrumental in changing the debate within our community, and we were also able to bring back proven national innovations and models for what we could implement at Cole. For example, we brought back new restorative approaches to discipline, new ways of training teachers and having them work together and with students, and new ways of structuring schools. From this research, we engaged in an intensive, participatory process with parents to create a platform of demands for whole school reform, and school discipline reform in particular. Through the pressure applied by parents, we were able to win a new discipline policy within the first year.

### WHAT WE WON

The new policy put sharp limitations on the use of out-of-school suspensions, expulsions, and arrests, and emphasized in-school discipline that did not interrupt learning. The campaign also won the formation of a parent- and student-based Discipline Reform Committee that included Cole teachers and administrators. And we won full language rights in all school discipline-related proceedings and communications, including simultaneous interpreting at expulsion hearings and translation of all suspension/expulsion notices and correspondence.

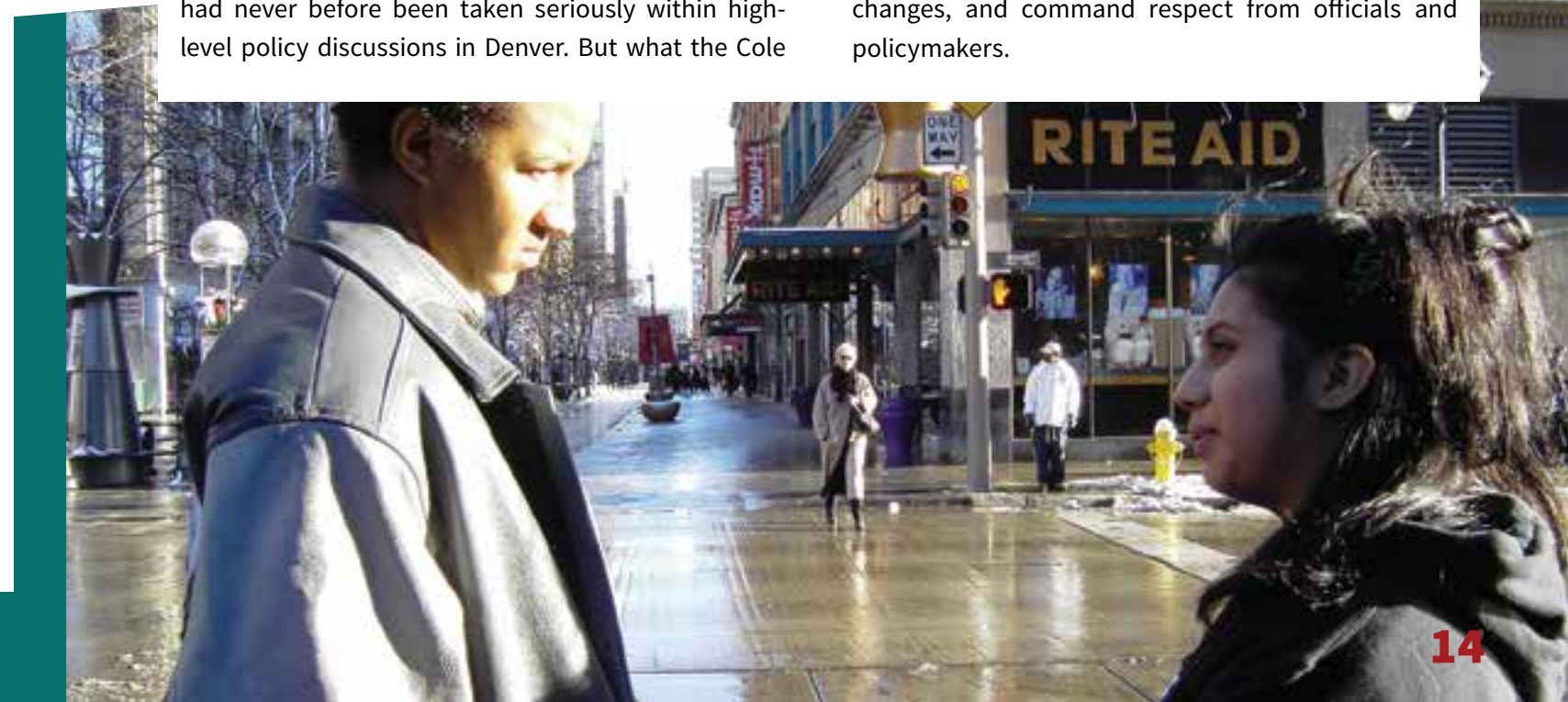
During the next school year, out-of-school suspensions and expulsions were nearly cut in half, and the almost-daily police referrals were virtually eliminated. This was a dramatic change, but it was only the first step toward creating a school with a healthy and effective learning environment. We began the process of attempting to institutionalize restorative approaches to discipline and engage in whole school transformation. Over the next two turbulent years, PJU successfully pushed for the removal of the principal, the hiring of a new principal of the community’s choice, and the creation of a Plan for Educational Excellence that would remake Cole using best practices and models gleaned from the “schools that work” they had visited. In the end, for the first time in the history of DPS, parents and students of color won school board approval for a community-created plan to end zero tolerance and adopt new curricula, teacher trainings, and student support and development practices.

Perhaps more than any specific policy victory was the fire for self-determination and self-governance that the campaign unleashed among our base. In stark contrast to many celebrated top-down national advocacy campaigns, we believed in the role of the oppressed as policymakers themselves. These monolingual Spanish-speaking parents, low-income Black parents, and their middle-school-age children had never before been taken seriously within high-level policy discussions in Denver. But what the Cole

campaign demonstrated to both themselves and the broader community was that poor and working-class people of color could themselves initiate and lead the institutional transformation process and drive systemic change and reform.

Moreover, this campaign was vital to PJU’s organizational development. For example, the critical role that youth played to reshape Cole led to the formation of the youth wing of the organization, Jóvenes Unidos (the organization had previously been named Padres Unidos). But beyond that, this campaign consolidated our community organizing and grassroots policy advocacy model. It forged the core of our multidimensional analysis of under-education, zero tolerance, pushout, over-criminalization, and how they reinforced structural and institutional racism. And it helped to shape our understanding of policy changes that could disrupt these dynamics. In short, the Cole campaign was the proving ground for the methodology, analysis, and demands that drove much of our work for the next decade.

Finally, the Cole campaign completed an almost 10-year arc of organizational development for PJU. We had gone from struggling to fight individual incidents of discrimination and racism with no office, no staff, and no funding to emerging as a local organizing force that explicitly challenged racism, could seek systemic changes, and command respect from officials and policymakers.





We now had developed enough powerful alliances and built a large and deep enough base of support that districtwide change was now attainable.

## 2.2 DENVER PUBLIC SCHOOLS DISCIPLINE POLICY REFORM (2003-2008)

### PROBLEM, IMPACT, AND PROPOSED SOLUTIONS

Through our work at Cole and the outreach we did to other schools, we learned that the experiences there were not anomalies; there was a clear pattern of harsh and abusive disciplinary practices districtwide. We also learned that district policy was itself a primary driver of the local School-to-Prison Pipeline, and we recognized that if we did not address it, it would continue to serve as an obstacle to individual school reform (and potentially undermine our progress at the school level).

In 2003, DPS's discipline policy was very punitive and thus reflective of the prevailing zero-tolerance mentality. While there are literally dozens of potential disciplinary interventions that can be employed by educators, DPS policy focused very narrowly on the most severe consequences: out-of-school suspensions, expulsions, and referrals to law enforcement. Indeed, it mandated long-term out-of-school suspensions and expulsions for certain offenses, some of which were worded vaguely enough that they were routinely applied to relatively minor incidents.

The policy also gave school administrators wide discretion to make disciplinary decisions, including

### LESSONS LEARNED

Within these collaborative policymaking settings, there can be a strong tendency to revert to the status quo. Thus, it was critically important to continually remind participants of the data and actual student experiences

empowering them to use extreme punishments for even low-level behaviors. Unfortunately, that became standard practice in many schools throughout the district. We decided we needed to better regulate the behavior of the adults in our schools by pushing for a rewrite of DPS's discipline policies.

## CRITICAL ELEMENTS OF THE CAMPAIGN

### RESEARCH

We recognized that a successful district-level campaign was going to require a deeper level of research on how school discipline was being implemented. Thus, PJU partnered with Advancement Project on a participatory research project. Students interviewed their peers, teachers, police officers, guidance counselors, and other school officials. They sat through proceedings at the juvenile courtroom – 191J – and conducted interviews with the students there. Additionally, Advancement Project taught PJU staff and youth leaders how to get the more formal quantitative data they needed to prove their case. Youth members were trained on how to request public records from the Department of Education, DPS, the Denver Police Department (DPD), and many others to obtain the data and other information that had previously never been provided. After obtaining the data, Advancement Project helped PJU analyze it and put it in popular formats so that it could be used to educate PJU members, schools and allies about Denver's School-to-Prison Pipeline. We learned to follow the data to tell the story and this research became the foundation for every other aspect of our campaign over the next several years.

that prompted the group's creation.

Additionally, such groups often attempt to avoid any discussion of race, even when the discriminatory impact is clear. By consistently highlighting the district's racial disparities, we successfully avoided a "colorblind" – and thus insufficient – result.

*"Thank you to Padres & Jóvenes Unidos for all the work you are doing today, and all you have done to get us to this point. In 2008, we came forward with one of the most progressive discipline policies of any school district in the country. That was because of what you did, the work you did to push us - to push us hard, to push us thoughtfully, to push us constructively, and to push us to a solution."*



*- Superintendent Tom Boasberg*

### STRATEGIC COMMUNICATIONS

By the time our research was completed in 2005, there was still no meaningful interest at either the local or national level to pursue school discipline reform. The national school discipline trend was entirely in the direction of more punitive policies, and there were no major school districts that were deviating from the zero-tolerance approach. We decided to shine a light on the problem by publishing our findings – alongside those from Chicago, Illinois and Palm Beach County, Florida – in the report, "Education on Lockdown: The Schoolhouse to Jailhouse Track."<sup>19</sup> The report generated significant local and national media attention, creating the opening we needed for successful organizing and advocacy. The messaging for the report and our campaigns was backed up by public opinion research (focus groups of teachers and parents) conducted by Advancement Project in each of the three sites.

### ORGANIZING

In addition to influencing the public discussion, we intended the report to be used as an organizing tool for PJU (and the other local partners from Chicago and Palm Beach). It was deliberately written and presented in a style that would be more accessible for parents and

students, allowing them to educate their communities and use the information to persuade policymakers.

Thus, following the release of "Education on Lockdown," students from Jóvenes Unidos presented the research findings and recommendations to the DPS school board, the Chief and senior leadership of DPD, the City Council, and the leadership of the Denver Classroom Teachers Association (DCTA, the largest local teachers' union), among many others. DPS was also searching for a new superintendent at the time, so Jóvenes Unidos seized upon this opportunity to insert Denver's School-to-Prison Pipeline into the public discussion by asking each candidate whether they would support our discipline demands during public forums. Not only were the students able to garner many endorsements for their reform demands, these meetings also put policymakers on notice of the importance of the issue.

In fact, as a result of these efforts, the candidate who was ultimately selected as Superintendent, Michael Bennett (now a U.S. Senator), inserted PJU's demands into his strategic plan shortly after being hired, thus creating a multi-stakeholder working group to rewrite the district's discipline policies.

### POLICY ADVOCACY

While PJU had traditionally devoted itself to exerting external pressure on DPS to address social and racial justice issues, we decided that more active collaboration with the district through participation in the working group was critical to ultimately achieving a successful outcome. Thus, beginning in the spring of 2006, we began meeting weekly within the working group that also included teachers, administrators, SROs, community members, and non-teaching staff. Because DPS legal counsel also played a role in initially establishing the direction of the group's work, we insisted that Advancement Project also be involved in an advisory capacity so that there was a level playing field on legal and policy matters. Indeed, Advancement Project's involvement became critical, as they volunteered to draft the new policy for the group, based on the group's input.

## FROM ZERO TOLERANCE TO RESTORATIVE JUSTICE

In 2005, as we pushed for a rewrite of DPS discipline policy, we also demanded the districtwide implementation of restorative justice programs as a more effective disciplinary alternative. While unwilling to commit fully to that level of reform, DPS did agree to work with us in launching restorative justice pilot programs within the district. As a first step, in early 2006, we collaborated with the district on a grant proposal to the Colorado Department of Education. We were successful in raising \$1 million in state funds for a pilot program in four schools that launched during the 2006-2007 school year.

An independent evaluation of these programs found that they were highly successful in improving student connection to school and academic outcomes. For

example, the evaluation found that for a significant proportion of the students, there was a reduction in failing grades, office referrals, suspensions, and expulsions. It also found increases in school attendance and improvement in the ability of students to externalize behavior and exercise self-control. Where used for preventive purposes, restorative justice was shown to result in improved adaptability and ability to cope with stress. (Baker, M. (2010). *DPS Restorative Justice Project: Year Four*)

Because of this demonstrated success, we were subsequently able to expand its use to dozens of schools throughout the district. Alongside the new discipline policy, these programs are gradually transforming the culture of discipline in DPS from one of punishment to one more focused on creating healthy school climates and meeting youth needs.

Once the group began discussing the details of the policy, we began to feel the effects of the overwhelming trend toward harsh treatment of students. Many members of the group were unconvinced that the district even had a problem that needed to be addressed. Most of the others continued to be heavily influenced by the zero-tolerance approach, as evidenced by the tendency to focus on what punishment students “deserved” when they committed a disciplinary offense. As a result, group momentum to meaningfully address the pushout and criminalization of youth virtually disappeared, and we recognized that the eventual end product would offer minimal relief to students unless we could reframe the discussion.

We were able to move the discussion in a more productive direction through two strategies. First, we brought the group’s attention back to the data showing that DPS’s over-reliance on harsh school discipline was among the worst in the state, was pushing students of color out, and was thus in urgent need for reform. Second, we proposed that as the group considered possible disciplinary consequences for student behavior, instead of discussing what the offending student “deserved”

or needed “to be taught a lesson,” the group should be guided by the following question: what are the educational benefits that will result for both that student and the entire school community? We argued that the focus should be on the root causes of behavior, not the behavior itself.

From that point forward, the conversation shifted. Over the next several months, as the nuances of the policy were discussed, and the group considered the range of appropriate consequences for dozens of behaviors, they were evaluated on the terms we suggested. When punitive responses could not be justified under that standard, they were eliminated as options. And by January 2007, the group had developed a vastly improved policy that it expected to be voted on by the school board that spring.

### OVERCOMING OBSTACLES

By this point, it had been a year-and-a-half since PJU had issued its demand for a revised discipline policy. However, we soon learned that the most significant obstacles were yet to come, as it became apparent that



numerous stakeholder groups were both resistant to change and highly protective of their authority to use extreme punishments against youth. Over the next year-and-a-half, we learned just how difficult it can be to break down systems of oppression, as we encountered stiff challenges from all of the institutions and interest groups who had played a major role in the creation of Denver’s School-to-Prison Pipeline.

- ▶ The DCTA and principals association successfully convinced the district that the draft policy was illegitimate because not enough of their members were involved in the writing process (though they had initially declined to be involved). PJU successfully appealed to the district that merely adding educators to the group would lead to an unbalanced group; thus, other community-based allies and PJU staff were also added. The expanded group revisited the new policy in its entirety, and after several more months of meetings, agreed to sign off on the new policy in the spring of 2007.
- ▶ Just hours before the draft policy was to be voted on by the DPS school board, DPS’s lawyer informed us that the vote would have to be delayed because of a recently discovered conflict with an obscure state law. In our view, this was a transparent delaying tactic (that we later learned was initiated by SROs). Indeed, while the supposed conflict was easily resolved, the policy was again opened up for revisions to several other sections of the policy.<sup>20</sup> While continuing with the negotiations, PJU began an aggressive communications and organizing effort, putting pressure on the district to move forward with the policy through media appearances, protests, and testimony at school board meetings.

- ▶ Simultaneously, Denver’s District Attorney had a local middle school principal arrested for “failure to report child abuse.” Two 7th-grade boys had allegedly touched a female classmate inappropriately, and the principal had contacted all the students’ parents, along with district officials, and had suspended the boys. However, the D.A. argued that the police should have been notified. Thus, the principal was arrested in what became a high-profile case in Denver.<sup>21</sup> In response, fearful local school officials began notifying law enforcement for incidents as innocuous as a five-year-old smacking the behind of a classmate during a game of “tag.” And PJU and Advancement Project were forced to engage in another round of negotiations with both the district and the D.A.’s office – which were both pushing for increased reliance on police and the court system – to resolve the latest policy dispute.
- ▶ In a last-ditch effort to sway the process, the DCTA published a pamphlet that argued for a “three-strikes” approach to be the foundation for the new policy. To counter this tactic, at a meeting between the union and the writing group, Jóvenes members dressed in both graduation caps and prison garb to highlight the ramifications of their proposed changes. The Denver Post joined PJU in opposing the three-strikes approach, and the union soon relented.
- ▶ Finally, after over three years of advocacy, the policy went to the DPS school board for a vote in November 2008, and it passed 5-2.



## WHAT WE WON

Even after the many concerted efforts to weaken it, the approved policy reshaped school discipline within Denver Public Schools and became a widely-recognized national model of comprehensive and progressive discipline reform. Structurally, it replaced the over-emphasis on exclusionary methods with a system that promoted alternative, school- and classroom-based strategies that are far superior in addressing disciplinary issues, promoting academic achievement, and supporting the creation of healthy and safe schools. For example, restorative justice strategies are emphasized, and the policy states explicitly that:

*“Schools should minimize the use of out-of-school suspensions, recommendations for expulsion, and referrals to law enforcement, to the extent practicable . . . [and] it is a goal of the Denver Public Schools and the Board of Education that the juvenile and criminal justice systems be utilized less frequently to address school-based misconduct.”* (Policy JK, Section IV(H))

Additionally, it replaced the over-abundance of discretion afforded to school officials in excluding students with a system that continued to afford flexibility in choosing among lower-level disciplinary consequences, but put sharp limits on the use of out-of-school suspensions, expulsions, and referrals to law enforcement. For example, while an isolated classroom disruption could formerly have led to (and sometimes did lead to) long-term out-of-school suspension, expulsion, and/or a trip to juvenile court, under the new policy it would result in one or more school-based interventions.

The new policy also clarified and expanded the due process rights of students and parents, mandated Spanish translation of all relevant documents, limited the role of school officials in disciplining students for off-campus conduct, and expanded the data that would be collected and reported by the district.

However, perhaps our most important, long-term policy victory was building in recognition of institutional racism and its effects. For example, the new policy reads: *The District serves a diverse community. In order to serve all students and to prepare them to be members of an increasingly diverse community, school and staff must build cultural competence. We must strive to eliminate any institutional racism and any other discrimination that presents barriers to success.* (Policy JK, Section III(F))

The policy draws particular attention to racial disparities in discipline: *This policy and accompanying procedures are intended to help the District eliminate racial and ethnic disparities, and any other protected class disparities, in school discipline, while improving behavior, school climate, and academic achievement for all students.* (Policy JK, Section IV(J))

Importantly, the policy is also directed at taking affirmative steps to address the effects of discrimination.

### Addressing Racial Disparities and Other Protected Class Disparities in School Discipline

*Efforts shall be made to eliminate any racial disparities in school discipline. Staff members are specifically charged with monitoring the impact of their actions on students from racial and ethnic groups or other protected classes that have historically been over-represented among those students who are suspended, expelled, or referred to law enforcement.* (Policy JK-R, Section 1-4)

Not only did these sections heighten awareness of racial injustice within Denver Public Schools, they also provided critically important leverage points that we have been able to use since the policy’s passage to push for full and appropriate implementation of the policy.

Ultimately, though, the significance of the passage of the new discipline policy was in the transformative effects it had districtwide, creating dramatic improvements in the ways in which students were educated and treated within their schools. In fact, current Superintendent Tom Boasberg now regularly points to these reforms as primary causes of DPS’s significant improvement in attendance and graduation rates in recent years.

Moreover, through this campaign, PJU definitively established itself as a citywide force that deserved a seat at the table when important school policy decisions were being made. There was a noticeable shift in Denver’s power dynamics as, more than ever before, the voices of youth and parents of color were being heard by policymakers and key stakeholders.

## THE STRUGGLE CONTINUES

While we were able to achieve most of our goals through the passage of the new discipline policies, there were some areas in which we were either constrained by state law or simply unable to convince the district or our workgroup colleagues. For example, the final policy still contained an oversized role for law enforcement, though certainly far less than it had previously. It also continues to rely on, or allow for, exclusionary discipline when other disciplinary alternatives would be more appropriate. We intend to continue working with the district in the coming years to make the necessary improvements.

## RESOURCES

- ▶ Education on Lockdown: Ending the Schoolhouse to Jailhouse Track - [http://b.3cdn.net/advancement/5351180e24cb166d02\\_mlbrqgxlh.pdf](http://b.3cdn.net/advancement/5351180e24cb166d02_mlbrqgxlh.pdf)
- ▶ Policy JK - <http://www.dpsk12.org/policies/Policy.aspx?-db=policy.fp3&-format=detail.html&-lay=policyview&-sortfield=File&File=JK&-recid=32883&-find=>
- ▶ Policy JK-R - <http://www.dpsk12.org/policies/Policy.aspx?-db=policy.fp3&-format=detail.html&-lay=policyview&-sortfield=File&-op=eq&Section=J&-recid=32967&-find=>

## 2.3 PASSAGE OF COLORADO SMART SCHOOL DISCIPLINE LAW (2010-2012)

Our victories at the local level, in arguably the most influential school district in Colorado, created an opportunity to leverage them for statewide change. Moreover, we were hoping to remove some of the impediments that we had continually run into within state law during the DPS discipline policy campaign. Thus, beginning in 2010, we began an effort to pass comprehensive statewide school discipline legislation.

We knew that our odds of success were relatively slim, especially in the first year of the campaign. Most organizations that are successful in running their own legislation were larger, better connected, and better represented at the Capitol than PJU was. In fact, while PJU had previously participated in a variety of state-level campaigns, we had never led a legislative campaign of our own. Moreover, no other state had successfully passed school discipline legislation that was both comprehensive and progressive. Thus, it was an ambitious undertaking, and one that was unlikely to succeed in the conventional sense. Nevertheless, we believed that a legislative campaign would be a valuable tool for shifting attitudes and behaviors around the state, regardless of whether our bill ultimately passed the legislature. So we decided it was worth the risk.

## PROBLEM, IMPACT, AND PROPOSED SOLUTIONS

Through our research, we learned that the same policy deficiencies that we encountered in Denver were evident all throughout the state. For example, in 2009-2010, there had been 63,491 out-of-school

suspensions statewide and 2,238 expulsions.<sup>22</sup> There had also been 9,183 student referrals to law enforcement, and nearly 100,000 over the preceding decade.<sup>23</sup> Once again, the vast majority of these incidents should not have resulted in exclusion or criminalization. Among the many examples of abuses we found from around the state were the following:

- ▶ Jefferson County, CO – A 13-year-old boy playing basketball on the playground slapped his friend’s behind after a good play, just as he had seen the Denver Nuggets players do the night before. He was arrested and charged with “unlawful sexual contact.”
- ▶ Larimer, CO – A high school student who left school early and hopped a fence was charged with “trespassing.”

- ▶ Arapahoe County, CO – An 11-year-old broke a knick-knack on his teacher’s desk, and was charged with “criminal mischief.”
- ▶ Boulder, CO – Two middle-school students called each other names and pushed each other, and were charged with “third degree assault.”
- ▶ Broomfield, CO – A high school couple broke up, and the boy sent the girl a text saying “you suck” and another saying “I hate you.” He was charged with “harassment” and “domestic violence.” The couple was back together days later.

Just as we had observed in Denver, school disciplinary practices were heavily racialized across the state. For example, in 2009-2010, Black and Native American students were nearly three times more likely to be referred to law enforcement than their White peers.<sup>24</sup>

**Table 2**  
25 LARGEST SCHOOL DISTRICTS IN COLORADO  
2009-10 STUDENT REFERRALS TO LAW ENFORCEMENT

SOURCE: COLORADO DEPARTMENT OF EDUCATION

JEFFERSON COUNTY R-1	2,254
ADAMS 12 FIVE STAR SCHOOLS	1,126
ADAMS-ARAPAHOE 28J	1,001
CHERRY CREEK 5	891
DENVER COUNTY 1	603
MESA COUNTY VALLEY 51	520
LITTLETON 6	300
BRIGHTON 27J	235
DOUGLAS COUNTY RE 1	232
POUDRE R-1	188
ADAMS COUNTY 14	160
ST VRAIN VALLEY RE 1J	133
BOULDER VALLEY RE 2	125
PUEBLO COUNTY 60	98
WIDEFIELD 3	70
THOMPSON R2-J	64
HARRISON 2	55
FALCON 49	28
WESTMINSTER 50	28
ACADEMY 20	7
PUEBLO CITY 60	7
MONTROSE COUNTY RE-1J	2
GREENLY 6	2
FOUNTAIN 8	0
COLORADO SPRINGS 11	0

**Table 3**  
25 LARGEST SCHOOL DISTRICTS IN COLORADO  
2009-10 OUT-OF-SCHOOL SUSPENSIONS  
PER 100 STUDENTS

SOURCE: COLORADO DEPARTMENT OF EDUCATION

ADAMS COUNTY 14	23.6
HARRISON 2	16.2
ADAMS-APAPAHOE 28J	15.4
WESTMINSTER 50	14.5
DENVER COUNTY 1	12.4
BRIGHTON 27J	1.9
CHERRY CREEK 5	1.8
ADAMS 12 FIVE STAR SCHOOLS	1.1
PUEBLO CITY 60	9.0
GREENLY 6	8.9
WIDEFIELD 3	8.1
JEFFERSON COUNTY R-1	7.6
MESA COUNTY VALLEY 51	7.2
THOMPSON R-2J	6.3
LITTLETON 6	5.5
POUDRE R-1	5.5
FALCON 49	5.4
ACADEMY 20	4.9
FOUNTAIN 8	4.5
ST VRAIN VALLEY RE 1J	4.2
BOULDER VALLEY RE 2	3.8
PUEBLO COUNTY 70	3.6
COLORADO SPRINGS 11	3.6
DOUGLAS COUNTY RE 1	3.0
MONTROSE COUNTY RE-1J	1.0

Latino students were almost twice as likely to be referred.<sup>25</sup>

Perhaps the defining feature of Colorado’s school disciplinary practices was their incredible variability across localities. Behavior that would lead to out-of-school suspension, expulsion, arrest, or citation in districts serving large numbers of students of color was addressed in far more productive ways in other, predominantly White districts. Such widely divergent policies and practices resulted in remarkable differences in disciplinary rates across districts (see Table 2 and Table 3). For example, the 2009-10 out-of-school suspension rate in Adams County School District 14 was 23 times higher than it was in Montrose County.<sup>26</sup> The expulsion rate in Pueblo County was 113 times higher than it was in Boulder Valley.<sup>27</sup> And while many districts had hundreds or even thousands of referrals to law enforcement, 83 of the 178 districts in Colorado reported zero referrals.<sup>28</sup>

To address these conditions, we initiated a campaign that would seek to limit the use of harsh disciplinary consequences statewide, while also addressing some other key policy deficiencies that contributed to the statewide School-to-Prison Pipeline.

## CRITICAL ELEMENTS OF THE CAMPAIGN

### RESEARCH

Our first step was to better understand the problem statewide, which involved extensive data and policy analysis. We also collected dozens of stories of school discipline abuses from around the state by interviewing youth and public defenders at juvenile courts. We wanted to ensure that our staff and members were positioned as the most knowledgeable experts of Colorado school discipline policies and practices throughout the process.

## ORGANIZING AND STRATEGIC COMMUNICATIONS

We recognized that legislative success was going to require a demonstration of popular force that could withstand the political forces that would soon collide with us. We also knew that our staff, youth leadership, members, and allies had not yet developed many of the skills that would be necessary to operate effectively within the legislature. Thus, we kicked off our campaign with a “Youth Conference to End the School to Jail Track in Colorado” in September 2010. We brought together 120 students and supporters from eight school districts across the state for a highly dynamic, two-day event in which students were trained on the issue, the policies that create it, organizing strategy and tactics, understanding and creating legislation, strategic planning, and communicating effectively with people in influential positions.

Much like in our campaign to address DPS policy, school discipline was completely off the radar at the Capitol, so we needed to educate stakeholders on the need for reform. Thus, we presented our research and proposed solutions to dozens of allies in the advocacy community, politically influential individuals and organizations, and legislators. We also began circulating a petition requesting support for the legislative effort. Through these efforts, we were able to identify a sponsor for our bill, Senator Linda Newell (D), who represented Littleton, CO, and whose daughter had been attending Columbine High School at the time of the tragic shooting. She strongly identified with the cause of the Jóvenes leaders, and eagerly agreed to help begin to draw public attention to the issue by holding a joint press conference on the Capitol steps. Through all of these efforts, within just a few months we were able to dramatically raise the visibility of zero tolerance and the School-to-Prison Pipeline.



## MOVEMENT STORIES: SOUTH H.S. LEADER OF JÓVENES UNIDOS 2011-2013

“During the legislative process, I offered a lot of testimony during hearings. In fact, some of the legislators started to recognize me. I learned how to speak to legislators. I learned that I have power; that I can speak in those settings and they will listen. In fact, I found that the more I spoke, the more they listened.

... I think it was a shock for them to see a Black woman like that. The first time I testified, one of the task force members was like ‘Oh, you’re so well-spoken,’ as if they were surprised.

... I know I impacted a police chief who was on the task force. He was talking as if his officers were doing no wrong, but we had data on his district and by the end he had to eat his words. He even said ‘I want to thank Jóvenes Unidos for pushing this legislation, as we really do need it.’

... This was a great leadership development experience. For me, it was my senior year, so at that point, I was trying to get to college, so it really helped me to develop as an adult, to see new perspectives, to learn how to speak to policymakers, to be more expressive about what I think is wrong and how it can be made right. It was a really moving experience, and I even got a letter of recommendation for a scholarship from Senator Newell!”

## LEGISLATIVE ADVOCACY – YEAR ONE

**Given what we saw as very low odds of passing a substantive bill that would create meaningful change during the 2011 legislative session, we decided to propose a bill that would clearly highlight Colorado’s School-to-Prison Pipeline and provide the best opportunities for educating the public and the legislature. Thus, our initial bill was directed at eliminating the arrest and ticketing of students for all misdemeanor offenses. While we acknowledged that this approach would be sure to garner significant opposition – and it did – it also successfully framed the debate around the extreme disciplinary consequences that students were facing across the state.**

Ultimately, we were able to garner 13 legislative sponsors for the bill while educating over 3,500 constituents and obtaining over 1,200 petition

signatures. However, as we suspected, this was not going to be enough to get our bill through the legislature without it being substantially weakened. The law enforcement community simply had too much clout at the Capitol. Thus, after intensive deliberation, we decided to hold off on introducing our bill. Instead, after consultation with numerous allies within the legislature and advocacy community, we decided to instead introduce a bill that would create a task force charged with addressing the overuse of exclusionary methods, law enforcement, and juvenile courts to handle school disciplinary issues. The task force would be comprised

of legislators and members of the public, and would provide recommendations for comprehensive legislative action prior to the end of 2011. The goal was to create a pathway for substantive reform, while also creating numerous organizing and communications opportunities that would pave the way for the 2012 legislative session.

## LEGISLATIVE TASK FORCE

A key to the success of the task force was shaping its composition. Fortunately, because of our role in leading the effort to get the legislation that established it passed, we were able to heavily influence the process. Thus, not only was a PJU staff member included, but several other allies that we recommended were also added, including a representative from the NAACP and a restorative justice practitioner. The task force was also directed to include law enforcement representation, and we were also able to ensure that at least one representative was a district attorney who was aligned with many of our concerns.

We attempted to include youth on the task force, but when there was resistance to that, we were able to secure the creation of a student advisory committee. This became an important vehicle for our student leaders to shape the work of the task force. At every meeting, students shared research and testimonials on the impact of Colorado’s School-to-Prison Pipeline. Not only were the youth of Jóvenes Unidos highly influential during the process, the experience they gained provided

the foundation for their legislative advocacy over the ensuing year.

Over the course of the year, we were able to advance many of our priorities and shape the legislative recommendations of the task force. Many powerful lobbying forces – including those representing school administrators, school boards, district attorneys, and SROs – pushed back heavily against what we considered to be optimal legislative solutions to the School-to-Prison Pipeline, and even tried to undermine the entire process. Nevertheless, we had amassed enough allies to keep the process moving forward so that the task force’s ultimate recommendations – which became the Smart School Discipline Bill – represented substantial progress.<sup>29</sup>

## STRATEGIC COMMUNICATIONS

As we hoped, the task force created numerous opportunities to raise public consciousness of school discipline issues and create a more favorable climate for progressive reform. Additionally, some particularly egregious school discipline incidents occurred around the state during this period, such as the 9-year-old, 4’2”, 50-pound autistic boy who had an outburst on a school bus and was then handcuffed so tightly that doctors were unable to get a blood pressure reading. PJU youth leaders and staff members were frequently called upon to comment upon such incidents, and they were able to connect them to the work of the task force. As a result, we were able to turn school discipline into a highly

### Coalition to End the School to Jail Track in Colorado



- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>ACLU Colorado</li> <li>CASA Advocates for Children</li> <li>The Coalition for Better Education</li> <li>Colorado Criminal Justice Reform Coalition</li> <li>Center for Alternative and Responsible Education</li> <li>Colorado Children’s Campaign</li> <li>Colorado Juvenile Defender Coalition</li> <li>Colorado Lawyers Committee</li> <li>Colorado League of Charter Schools</li> <li>Colorado Progressive Coalition</li> <li>Colorado Statewide Parent Coalition</li> <li>Colorado Council of Deans of Education</li> </ul> | <ul style="list-style-type: none"> <li>Colorado Statewide Parent Coalition</li> <li>Colorado Council of Deans of Education</li> <li>The Conflict Center</li> <li>H.S. Power and Light Ministries</li> <li>Human Services Network of Colorado</li> <li>Interfaith Alliance of Colorado</li> <li>NAACP</li> <li>The National Association of Social Workers, Colorado</li> <li>Rights for All People</li> <li>Unite for Children</li> <li>The Veterans of Hope</li> </ul> |
|---|--|

## LESSONS LEARNED

One of the foremost challenges of leading a legislative reform effort as a grassroots organization is being able to reconcile popular decision making with the speed of the legislative process. It can be very challenging to make the quick decisions that are necessary when you are accountable to a large membership base that expects and deserves to be included in key strategic decisions. Addressing this tension, and ensuring that youth voice and leadership were driving our decisions, required extensive prep work and clear lines of communication. We had to make sure that whoever was in the meetings was very clear in their directives, and that when things would move fast, they were still able to make time for a phone call to designated leaders to make sure the ultimate decision aligned with youth leaders’ priorities.

## MOVING POLICYMAKERS

State Senator Linda Newell - “We are standing on the shoulders of students here today (JU). Without them we wouldn’t be here today. We want to thank all of the students, teachers, and advocates. It’s because of you that we have this statewide change.”

State Senator Evie Hudak - “Our zero tolerance policies were not in line with fairness – and we were able to get rid of that. We will have many fewer kids getting put on the School to Jail Track.”

visible issue in Colorado. For example, between January 2011 and November 2011, there were dozens of local and national media stories on the legislative reform effort, nearly all of which were highly favorable to our reform efforts.

There were two particularly important features of this media coverage. First, much of the framing and messaging used to talk about the issues came directly from PJU materials and talking points. In other words, we had successfully established the terms of debate around the issue in such a way that our allies and opponents alike were talking about school discipline in the same way that we did. For example, many of our allies went from talking about the need to “keep kids in school” to explicitly calling for an end to racial disparities in discipline.

Second, because of our extensive outreach effort, there was a diversity of messages in the media, which was important in establishing broad public consensus for reform. In fact, law enforcement officials, education officials, and both Republican and Democratic state legislators all wrote opinion pieces or were quoted in articles using very strong language condemning the School-to-Prison Pipeline.

Additionally, we used the stories of school discipline abuses we had collected to drive a social media strategy intended to gradually intensify public pressure in support of the bill’s passage. Beginning in October 2011, we shared dozens of

stories of affected students through e-blasts and Facebook. As a result, not only were we able to educate and inspire our base, everyone involved with the legislative advocacy effort could easily point to actual school discipline abuses from around the state.

## LEGISLATIVE ADVOCACY – YEAR TWO

Once the 2012 legislative session opened in January, and our bill was introduced, we made a key tactical decision to maintain a far more consistent and significant presence at the Capitol than we ever had before. In fact, our bright red “Books Not Bars” t-shirts became a very familiar sight to legislators and lobbyists during the entire session.

The driving force behind this effort was the Books Not Bars team, which was the group of core student leaders focused on this campaign. These youth worked tirelessly for months, meeting with legislators, following the legislative process, reporting to other youth members, and organizing actions at the Capitol. These students provided the key strategic direction as well as the display of popular force that was needed to move the Smart School Discipline Bill forward.

The other key strategic decision we made was to hire our own lobbyist for the legislative session. We had learned over the preceding year-and-a-half that without having someone on-site to monitor day-to-day (or even minute-to-minute) developments and represent our interests, we would be out-manuevered by the more experienced lobbyists representing school administrators, school boards, prosecutors, and police. Hiring our own lobbyist allowed us to create a more level playing field.

This heightened presence at the Capitol became critically important at the very end of the legislative session, when Republican leaders of the General Assembly initiated a massive filibuster to stop an effort to create civil unions in Colorado. It appeared that our bill, like many others, was not even going to be voted on, despite broad bipartisan support. However, because PJU youth

## MOVEMENT STORIES: CHANGING POLICE PRACTICES IN DENVER PUBLIC SCHOOLS

**North High School Student and Youth Leader with Padres & Jóvenes Unidos** - “I have had friends get suspended and ticketed for minor offenses, and I saw how that affected them as students and took away from their potential. It put them on the wrong track, and

I recognized this. And I wanted to find out what I could do to change it. As students, we researched best practices for (these agreements) from around the country and proposed our solutions to Denver Public Schools and Denver Police Department.”

**Denver Police Department Chief Robert White** - “We have, as the police, no desire to be disciplinarians. That’s not our job. That’s the parents’ job, that’s the schools’ job. Our job is to deal with serious violations of the law and that’s what we’re going to do . . . We should do everything we can to keep

young people from getting a criminal record.”

**Denver Public Schools Superintendent Tom Boasberg** - “We have seen that restorative justice works best to keep our schools safer, to keep our students in school studying, and to help our students learn from their mistakes and make them right. I want to thank our community partners who have supported and pushed us in this work. Making sweeping changes in Denver requires collaboration on all levels, and partners like the Denver Police Department and Padres & Jóvenes Unidos are critical to those very promising improvements.”

leaders, staff, allies and our lobbyist were physically present to monitor the legislative machinations and had built relationships with legislators and their staff, we were able to negotiate a last-minute arrangement to attach the Smart School Discipline Bill to the School Finance Act, which was passed unanimously on the last day of the session.

## WHAT WE WON

The Smart School Discipline Bill was signed into law by the Governor in May 2012, and included the following key elements:

1. It recognized that “the use of inflexible ‘zero tolerance’ policies as a means of addressing disciplinary policies in schools has resulted in unnecessary expulsions, out-of-school suspensions, and referrals to law enforcement agencies,” and declared that the “involvement of students in the criminal or juvenile justice systems should be avoided when addressing minor misbehavior that is typical for a student based on his or her developmental stage.”
2. Every school district in Colorado was required to implement “proportionate” discipline that reduces the number of out-of-school suspensions, expulsions, and referrals to law enforcement.

3. Districts were also required to implement prevention strategies, restorative justice, peer mediation, counseling, and other approaches designed to minimize student exposure to the juvenile and criminal justice system.
4. The bill substantially improved the collection of data around school-based arrests, tickets, and court referrals.
5. It enhanced and prioritized the training of school resource officers.

The bill unquestionably represented a major advance in the nationwide effort to dismantle the School-to-Prison Pipeline and eliminate racial disparities in discipline. But our victories extended far beyond the passage of legislation. From the outset, we defined our goals more broadly, to include organizing, coalition building, communications, and other policy advocacy goals. We successfully built a statewide coalition with 24 key allies and partners (many of whom made major contributions to the campaign); we educated the public and decision-makers around the racial injustice faced by Black, Latino, and Native American students statewide; we developed over 150 youth and adult leaders on the issues; we shifted the public dialogue through more than 200 distinct media hits and numerous presentations



in public forums, and we gained new allies within the state legislature, state commissions, local boards of education, local school districts, police departments, and the juvenile justice system. Thus, it was not just a win for school discipline reform; it was a major advance in movement building.

## THE STRUGGLE CONTINUES

The biggest weakness in the law, as it currently stands, is that it did not go far enough in limiting the use of out-of-school suspensions, expulsions, and arrests. While local districts are directed to reshape their policies to reduce exclusionary and punitive discipline, there aren't any objective standards they must meet, nor any meaningful accountability systems established. We have been active at the local and state levels to help ensure the law is implemented with fidelity to its intent, but we anticipate that it will need to be strengthened in the coming years.

## RESOURCES

- ▶ SB 133 (establishing the legislative task force): [http://www.state.co.us/gov\\_dir/leg\\_dir/olls/sl2011a/sl\\_210.pdf](http://www.state.co.us/gov_dir/leg_dir/olls/sl2011a/sl_210.pdf)
- ▶ HB 12-1345 (Smart School Discipline Bill begins on pg. 730) - [http://www.state.co.us/gov\\_dir/leg\\_dir/olls/sl2012a/sl\\_188.pdf](http://www.state.co.us/gov_dir/leg_dir/olls/sl2012a/sl_188.pdf)

## 2.4 DENVER SCHOOL POLICE REFORM (2012-13)

### PROBLEM, IMPACT, AND PROPOSED SOLUTION

In 2005, as we were just launching our advocacy to change DPS discipline policies, the students of Jóvenes Unidos presented their research to an audience of police and demanded that SROs not be involved in minor and commonplace incidents at school. At that meeting, Chief Whitman of DPD committed verbally to reducing school-based tickets. And tickets did decline dramatically over the next few years. But as time passed and the public pressure on DPD waned, tickets began to rise again,

despite the fact that the 2008 discipline code explicitly calls for alternatives to the use of law enforcement.<sup>30</sup>

We thus recognized that the discipline policy itself did not do enough to constrain the role of police in schools. We also decided that we needed actual policy change, instead of a mere verbal commitment, so that our progress would be more sustainable. So we began a campaign in early 2012 to revise the contractual agreement between DPS and DPD – called an Intergovernmental Agreement (IGA) – so that police would only be used for appropriate purposes and the community would be better able to hold the police accountable for their actions in our schools. The existing IGA between DPS and DPD consisted, like many such agreements, of mostly boilerplate language that, in essence, granted DPD virtually unfettered authority to police schools as they saw fit, in exchange for a fee. We sought to transform it into an affirmative statement of policy that reflected the values of our community.

### CRITICAL ELEMENTS OF THE CAMPAIGN

By this point, because of our previous victories, we were now far more able to engage directly and effectively with our policymakers, compared to when we had started. In fact, we had arguably become complacent in just assuming that we would be included in related policy discussions and that our input would be valued. So we began our campaign by simply meeting with the senior leadership of DPD and DPS as they were beginning to discuss renewal of the IGA. At each meeting, the students presented a history of the community's struggle with police interaction in school and discussed the deficiencies of the existing IGA and how it connected with the problem. They also presented PJU's history of work on this issue, and proposed that our track record justified an active role in the process of reworking the agreement. Our new Chief of Police, Robert White, who is African American and had some background in this issue from a previous position in Louisville, Kentucky, agreed that PJU could be involved in the process. However, senior staff members from DPS flatly refused

the request, saying that PJU could not take part in the negotiations.

Our youth members were both shocked and enraged that the community would have no role in a matter of such importance. They immediately sprung into action, and we made it clear to DPS that we were intent on raising the profile on the issue and highlighting the district's apparent shift away from more sensible and inclusive discipline practices. That seemed to capture the district's attention, as they soon sent a high-level staff person to meet with the youth and attempt to smooth over the situation. Instead, it had the opposite effect, as the staff person attempted to explain to the youth that the reason PJU was being excluded was that the IGA was a "technical document" with "complicated language." The students were appalled by this justification, finding it to be both offensive and condescending, particularly in light of the organization's long history of advising DPS on policy matters, and even helping to write district policies. At this point, the students became relentless in their pursuit of a more just policing policy within DPS that addressed the racialized treatment of students by SROs.

Similarly, police officials encouraged us to abandon our campaign and instead focus on creating a separate policy document with our priorities, which they argued did not belong in a contractual agreement like the IGA. However, it was precisely because the IGA represented a contract that we persisted, because we knew that tying our demands to the fees paid to the police by DPS was the best way to ensure they would be implemented.

Thus, with assistance from Advancement Project, PJU drafted its own IGA that we presented to both DPD and DPS, and then we began meeting with both – sometimes together, sometimes separately – for negotiations. These meetings involved high-level policy discussions with two often-reluctant institutional forces, but the students demonstrated superior analytical skills and persuasive skills, and ultimately helped to craft a groundbreaking policy.

## WHAT WE WON

The passage of the new IGA in February 2013 marked what we believe to be the first time a community-based organization had worked with its school district and police department to address the School-to-Prison Pipeline through revision of their contractual arrangement. It was also noteworthy because the school district and police department were now communicating about these vital issues far more effectively than they ever had previously.

### Among the highlights of the IGA were the following:

- ▶ **The IGA clarifies and limits the role of SROs.**
  - ▷ SROs must differentiate between disciplinary issues and crime problems and respond appropriately.
  - ▷ SROs must de-escalate school-based incidents whenever possible.
  - ▷ SROs must understand that DPS has adopted a discipline policy that emphasizes the use of restorative approaches to address behaviors, and is designed to minimize the use of law enforcement intervention.
- ▶ **The IGA contains due process protections for parents and students.**
  - ▷ Parents must be notified as soon as possible when students are ticketed or arrested.
  - ▷ Principals must be notified within a reasonable time period when a student is ticketed or arrested.
  - ▷ When questioning a student is necessary, it must be done in a manner and time that has the least impact on his or her schooling.
  - ▷ SROs must be notified if a student involved in a school-based infraction possesses disabilities and/or an Individualized Education Plan (IEP) and who therefore may require special treatment or accommodations.
- ▶ **The IGA requires meetings between SROs and community stakeholders at least once per semester, and it requires that SROs participate in meetings with school administrators when requested.**

## MOVEMENT STORIES: JÓVENES UNIDOS MEMBER 2003-2005; PADRES & JÓVENES UNIDOS STAFF 2006-2013

**Q: What is it that you remember most about the accountability campaign?**

A: Just really striving for what youth-led accountability means. And how does that play out? Not just at a meeting, but how do you create the momentum to get to the point when you can have that person in power sitting there, having to take it from the youth and listen to how they're not doing their work. How they're

not implementing what they are supposed to do. And then having youth explain what they're supposed to do in better ways than they'll ever be able to do. To me, that's what I remember the most, seeing students go up and say, "I'm pre-med, or I'm pre-law, and not pre-prison," and seeing the reaction on their faces and seeing how they change as a person. People in power actually change throughout the years, where they actually will admit, and will

publicly say that there's racism in their system, and there's racism in how they implement the policy . . . Because the youth pushed them that way, and they learned more from the youth because they just had to listen to it. And for every meeting with the district there were youth running the meeting, facilitating, asking questions – it was just really awesome to see.

► **The IGA requires training of SROs and school administrators on how best to deal with youth in schools.**

- ▷ School principals and SROs will attend three two-hour citywide trainings per year, once at the beginning of the school year and once during each semester.
- ▷ DPD officers will be trained on their role within DPS schools and on the rights afforded to students.
- ▷ Training may include topics such as child and adolescent development and psychology, age-appropriate responses, cultural competence, restorative justice techniques, special accommodations for students with disabilities, practices proven to improve school climate, and the creation of safe spaces for lesbian, gay, bisexual, transgender, and queer/questioning students.

### THE STRUGGLE CONTINUES

We believe that the role of police should be narrowly limited to safety concerns, and that students should not be ticketed or arrested unless they pose a legitimate threat of harm to other students or staff and there are no other viable options. We attempted to formalize that view within the IGA; however, the police were unwilling to cede any of their discretionary authority, and DPS was

unwilling to demand such a shift in policy. We intend to work with DPS and DPD to address this deficiency in the coming years.

### RESOURCES

- New IGA – <http://safequalityschools.org/resources/entry/Padres-IGA>

## 2.5 SCHOOL DISCIPLINE ACCOUNTABILITY (2009-PRESENT)

### PROBLEM, IMPACT, AND PROPOSED SOLUTION

As we won the school discipline campaigns described above, we were fully aware that little, if anything, would change just from the policy change. We knew that it would require continuing advocacy to keep the new policies from entering the realm of so many other progressive policies that lie dormant and unenforced. Indeed, following the passage of the new DPS discipline code in 2008, the district appeared to be uninterested in actually implementing the reforms. So we knew that we would have to actively hold them accountable, and that this effort would likely be just as intensive and certainly

more long-term than the initial campaigns. Thus we began our "School Discipline Accountability Campaign."


### CRITICAL ELEMENTS OF THE CAMPAIGN

Almost immediately, we learned just how far DPS still had to go to fix their disciplinary system. In May 2009, 17 students were suspended at a Denver K-8 school for celebrating Cinco de Mayo by running around the playground during recess with Mexican flags around their necks and faces. That incident jumpstarted our efforts to educate parents and students on the new policy, and put the district on notice that we were monitoring their progress. We created "Know Your Rights" pamphlets for distribution to students, and we created an interactive "Know Your Rights" assembly around the contents of the new policy that we organized and facilitated at seven schools. Through these assemblies and pamphlets, we were able to educate more than 8,000 high school students, and we began to see a growing number of students and parents successfully challenging unfair suspensions and expulsions. Nevertheless, we remained concerned by the inconsistent and incomplete implementation of the policy, and we continued to detect significantly less interest among DPS personnel in addressing student pushout and criminalization.

After regularly meeting with district officials for two years and seeing few results, in 2011 we realized that the district would only be responsive to public pressure. Thus, we compiled research on the first two years of implementing the new discipline policy and released a report called "Books Not Bars: A Community Analysis of the Implementation of the 2008 Denver Discipline Policy." In the report, we presented data analysis that was evidently more thorough than what DPS had even done internally, and we presented a community report card for seven key areas: out-of-school suspensions, expulsions, referrals to law enforcement, racial disparities, restorative justice, training, and data collection (see accompanying graphic for more detail).

**I, SUPERINTENDENT TOM BOASBERG, COMMIT TO THE FOLLOWING SOLUTIONS TO END THE SCHOOL-TO-JAIL TRACK IN DPS IN 2014-15:**

	Yes	No	Partly Agree
1. Support a Know Your Rights awareness campaign in DPS.	✓		
2. Launch community accountability process with DPD regarding IGA enforcement.	✓		
3. Develop school-by-school data analysis and reporting tools to target racial disparities.	✓		
4. Institute regular purging of discipline records and mechanism to petition removal.			✓

**X**   
**Tom Boasberg, DPS Superintendent**  
 3<sup>rd</sup> Annual Accountability Meeting  
 April 22, 2014  
 Padres y Jóvenes Unidos

We presented the report card to DPS Superintendent Tom Boasberg at a public accountability meeting with over 130 of our members and allies. At the meeting, we secured a promise from him that DPS would implement the report's Accountability Action Platform: A Community Call for DPS Action, which contained seven key steps that DPS would have to take in order to fully and faithfully implement the 2008 Discipline Policy.

1. Reduce police tickets and arrests
2. Rewrite the Intergovernmental Agreement (IGA) between Denver Public Schools and Denver Police Department with the input of the community
3. End racial disparities
4. Improve data reporting to monitor implementation
5. Implement restorative justice for all
6. Train all teachers and administrators on the 2008 Discipline Policy
7. Create a public accountability plan to implement the policy



## THE SCHOOL-TO-JAIL-TO-DEPORTATION TRACK

One frequently overlooked aspect of the School-to-Prison Pipeline is how it intersects with our most unjust and punitive immigration policies. On top of all the other negative consequences students face, many Denver youth have found themselves the subject of deportation proceedings as a result of tickets they received in school for minor offenses.

### WHAT WE WON

Following the meeting, we saw an immediate response from the district. They made the Know Your Rights assemblies mandatory, certified that the new disciplinary codes are now the norm in all DPS high schools and middle schools, and incorporated our language and materials into new teacher training modules. DPS also commissioned a small study of the impact of disciplinary reform on academic performance, which showed positive impact. And of course the IGA was indeed rewritten, as described above.

But perhaps most importantly, we secured a commitment from Superintendent Boasberg that going forward there would be quarterly accountability meetings in which DPS would present a progress report on the implementation effort to the community and PJU members would present their experiences and perspectives. These ongoing meetings have accelerated reform efforts at the school and district level, while creating more politically aware and activated community members. Moreover, they have ensured that the efforts to dismantle the School-to-Prison Pipeline are kept fresh in the minds of district officials as well as parent and students, and have literally changed district priorities. For example, in December 2012, the Superintendent publicly committed to “addressing the system-wide factors that are driving racial disparities” and “addressing the need for immediate intervention in the individual schools where students of color continue to be punished excessively.”

## COMMUNITY ACCOUNTABILITY REPORT CARD, 2012-2013

For Denver Public Schools  
Toward ending the school-to-jail track

This report examines DPS' accomplishments over the last school year (2012-2013) with respect to implementation of the 2008 discipline policy and, most importantly, articulates what remains to be done in order to make DPS the district its students and families deserve. The information in this report comes from publicly available data and the stories and voices of youth from across the city. It was shaped by members of Jóvenes Unidos who care deeply about the future of their education

and who feel that district employees must take more responsibility to fully implement the 2008 discipline policy and new state law. Based on the evidence gathered, we have provided DPS with its own annual report card on the implementation effort.

by Padres & Jóvenes Unidos

	Grade
Out-of-school suspensions	B+
Expulsions	B
Referrals to Law Enforcement	D-
Racial Disparities	D-
Restorative Justice	C+
Training	C
Data Collection	C+
Community Awareness & Self-Advocacy	F
<b>CUMULATIVE GRADE</b>	<b>C</b>

### THE STRUGGLE CONTINUES

Going forward, we will be expanding the accountability meetings to include DPD officials as well, so that the community can better monitor the new IGA, as well as the 2008 discipline policy.

### RESOURCES

- ▶ Books Not Bars: A Community Analysis of the Implementation of the 2008 Denver Discipline Policy – [http://padresunidos.org/sites/default/files/BooksNotBars\\_StudentsForSafeFairSchools.pdf](http://padresunidos.org/sites/default/files/BooksNotBars_StudentsForSafeFairSchools.pdf)
- ▶ Third Annual Community Accountability Report Card: Toward Ending the School-to-Jail Track in Denver Public Schools, 2012-2013

## SECTION THREE: OUR RESULTS

As a result of the campaigns described above, Denver Public Schools has made remarkable progress in their treatment of youth of color and their respect for every student's right to an education.

**Table 4**

Denver Public Schools: School Discipline Progress

Source: Colorado Department of Education. (Note: “students of color” refers to all non-White students.)

	2003-2004 School Year	2012-2013 School Year	Difference
<b>Out-of-School Suspensions per 100 Students – All Students</b>	18.6	7.5	<b>Down 60%</b>
<b>Out-of-School Suspensions per 100 Students – Students of Color</b>	20.8	8.7	<b>Down 58%</b>
<b>Expulsions per 100 Students - All Students</b>	0.20	0.09	<b>Down 54%</b>
<b>Expulsions per 100 Students – Students of Color</b>	0.23	0.11	<b>Down 54%</b>
<b>Referrals to Law Enforcement per 100 Students – All Students</b>	1.9	0.6	<b>Down 57%</b>
<b>Referrals to Law Enforcement per 100 Students – Students of Color</b>	2.2	0.9	<b>Down 57%</b>

Additionally, there has been a significant shift across the entire state of Colorado. Initially, and because of DPS's prominence in establishing policy trends for districts across the state, our local work in Denver proved to be influential elsewhere. And then of course once we began pursuing a statewide advocacy strategy in 2010, the impact of our work on other districts was intensified.

**Table 5****Colorado Public Schools: School Discipline Progress**

Source: Colorado Department of Education (Note: “students of color” refers to all non-White students.)

	2003-04 School Year	2009-10 School Year	2012-13 School Year	Difference from 09-10 to 12-13	Difference from 03-04 to 12-13
<b>Out-of-School Suspensions per 100 Students – All Students</b>	9.5	7.7	6.5	<b>Down 16%</b>	<b>Down 32%</b>
<b>Out-of-School Suspensions per 100 Students – Students of Color</b>	14.6	11.5	9.0	<b>Down 22%</b>	<b>Down 39%</b>
<b>Expulsions per 100 Students - All Students</b>	0.32	0.27	0.18	<b>Down 33%</b>	<b>Down 44%</b>
<b>Expulsions per 100 Students – Students of Color</b>	0.48	0.39	0.24	<b>Down 39%</b>	<b>Down 50%</b>
<b>Referrals to Law Enforcement per 100 Students – All Students</b>	1.4	1.1	0.8	<b>Down 26%</b>	<b>Down 42%</b>
<b>Referrals to Law Enforcement per 100 Students – Students of Color</b>	2.1	1.5	1.1	<b>Down 26%</b>	<b>Down 49%</b>

While we are very proud of these results, we also recognize that our struggle against the pushout and criminalization of youth is far from over. Students all across Colorado, including in Denver, continue to face harsh and abusive school discipline practices, and school districts continue their excessive reliance on police in their day-to-day operations. While the school climate has been vastly improved in many schools across the state, far too few of our young people are receiving the type of nurturing educational experiences they deserve. And while we have made meaningful progress in reducing the harsh discipline of youth of color, we still have a long way to go before all students are disciplined equally.

Additionally, we recognize that limiting punitive school discipline, by itself, does not ensure that students of color are actually faring any better in school. Our nation’s long tradition of under-educating students of color goes far beyond the School-to-Prison Pipeline, and so we know that there are, and will continue to be, other threats to the education of our youth. Moreover, we are painfully aware that our efforts

toward education justice will be hollow if they are not accompanied by meaningful progress in addressing the myriad challenges faced by both youth and adults in our communities.

In other words, we are learning and adapting to our changing conditions, and developing strategies that will build on the considerable progress we have made, but go even further to address the most deeply entrenched racism in our schools.

Thus, the results for which we are proudest go far beyond any statistical change over the last ten years; they have been the emergence of new youth leaders committed to the long-term struggle for justice, and the creation of a stronger, more politically developed Latino and Black community within Denver. These are the most significant outcomes of our work because they have left our community better positioned to address the full array of structural and institutional challenges that arise.

**SECTION FOUR:****LESSONS IN RACIAL JUSTICE AND MOVEMENT BUILDING**

Both our successes and our failures over the last 13 years have taught us many valuable lessons that we think are applicable to any organization or individual that is interested and engaged in racial justice movement-building work.

**GRASSROOTS ORGANIZING AS THE DRIVING FORCE FOR TRANSFORMATIVE CHANGE**

When PJU and Advancement Project began working to address the School-to-Prison Pipeline, the landscape for policy reform was quite bleak. Now, over a decade later, there is a dynamic and multi-dimensional movement dedicated to ending the pushout and criminalization of students. School-to-Prison Pipeline has become a widely used term, and school discipline reform has become a hot topic. There is substantially more media coverage, and the vast majority of it favors progressive school discipline reform. There has been a huge increase in progressive discipline reform efforts at the local and state levels. A massive body of research has developed. There are now hundreds of organizations that are pushing for change, including two national formations: the Alliance for Educational Justice, which PJU helped form, and the Dignity in Schools Campaign. There are now several national initiatives – launched by the White House, the U.S. Department of Justice, U.S. Department of Education,

National Council of Juvenile and Family Court Judges, Council of State Governments Justice Center, and the New York State Permanent Judicial Commission on Justice for Children – directed at addressing the pushout and/or criminalization of students. In January 2014, the U.S. Department of Education and U.S. Department of Justice released a comprehensive package of school discipline guidance in which it cautioned districts across the country against the overuse of harsh disciplinary practices.<sup>31</sup> And this issue is increasingly being considered within Congress, as evidenced within negotiations around the revised Elementary and Secondary Education Act and the December 2012 Senate hearing on the School-to-Prison Pipeline hosted by Senator Durbin (D-IL).

**How did this happen? What enabled this sector of work to expand so dramatically?**

Certainly, it would not have been possible without the contributions of innumerable researchers, advocates, practitioners, lawyers, policymakers, and funders. There have also been some catalytic events that have accelerated our progress, particularly at the national and federal levels. Nevertheless, it is critically important to acknowledge that the core of this work, and the very foundation upon which it is built, is the grassroots organizing within low-income communities of color and schools at the local level.



In the completely hostile, pro-punishment climate we initially faced, the marshaling of facts, statistics, and arguments—no matter how expertly researched or strategically framed—was simply not enough to overcome the powerful political, social, and cultural opposition we encountered. As history has shown us time and again, it is only the power of organized masses of affected people that can change the balance of power and force officials to reconsider systems of oppression and dramatically shift the policies that create them. Deep transformative organizing reverses the shame, self-blame, and despair in oppressed communities, unleashing outrage and righteous anger at systemic injustice. What we saw across the country was skillful organizers and leaders who went out into the community and projected a sharp analysis of the School-to-Prison Pipeline and the demands and strategies to transform it. Then, overwhelmingly, their communities responded. They began sharing their stories with the organizers, and with each other, breaking the silence that is all-too-common when dealing with the effects of policies such as zero tolerance, and finally expressing their anger and outrage at the dehumanizing and degrading treatment they were receiving. As these communities began to take action and speak truth to power, their courage inspired other communities. Soon the halls of local government were ringing with their demands and policymakers were finding themselves being called to answer before packed community meetings and ultimately at negotiating tables.

Some victories came quickly. But when the demands were directed at root-and-branch change and challenging the dominant policies, norms, and ideas of the time, the struggle was typically long and arduous. At every stage, these grassroots organizations found themselves swimming against a powerful current. Even when many began to make real headway, powerful interests began moving to divide, isolate, divert, or simply crush the incipient movement and the serious threat to the balance of power it represented. Nevertheless, there were a small number of steadfast, agile, and well-organized groups who were able to wage bold and dynamic campaigns that were able to break

through and prevail in this initial phase of advocacy, creating dramatically expanded opportunities for other organizations, supporters, and allies.

These local efforts were instrumental in attracting new organizations to this field, shifting the conversation around these issues, attracting additional policymakers' attention to these concerns, and gaining much-needed support from the philanthropic community. For example, we would not have had so many organizations join this movement without others first paving the way and then sharing what they had learned. We would not have been able to garner this much attention from the media and policymakers if we hadn't been able to provide credible examples of alternatives. We would not have gained such widespread popular support without a compelling presentation of the issue and the human cost it produces. The philanthropic community would not have been so supportive without evidence that their investments would produce returns. Grassroots organizing and advocacy filled all of these gaps, serving as the driving force behind the framing of the problem, the identification of the strategies for dismantling it, and the building of the political will and popular support for change.

There were a number of grassroots organizations that were instrumental in creating the momentum necessary to build the movement to end the School-to-Prison Pipeline, often with very little recognition or support. For our part at PJU, we are proud of our contributions to the national movement: policy language we wrote has been adopted by numerous school districts around the country; our state bill has been a model for legislation in several other states; and our work has been widely cited in national publications, on Capitol Hill, within national discipline reform efforts, and at national conferences of educators and justice-system personnel. Through the School-to-Prison Pipeline ActionCamps hosted by Advancement Project (including one in Denver co-hosted by PJU), we have participated in training hundreds of advocates and organizers from dozens of states on our methods and the results we obtained. And through our work within the Alliance for Educational Justice and in

partnership with Advancement Project, we hosted or co-hosted several briefings on School-to-Prison Pipeline issues on Capitol Hill and at the U.S. Department of Education between 2009 and 2012.

Many other grassroots organizations have made similar contributions. We highlight ours not because we seek credit for the progress that has been made, but because if the School-to-Prison Pipeline movement and the broader racial justice movement are to achieve their full potential, then we need a strong collective understanding of how this progress has been made and what it will take to sustain it. From our perspective, there was slow progress within this sector for many years until a handful of local breakthroughs changed the landscape entirely, allowing for the exponential growth and progress we have seen in the last 2-3 years. And during this latest period, it has been the voices of affected students and parents who have kept this new wave of activity somewhat tethered to the harsh on-the-ground realities. Again, none of this is meant to discount the remarkable contributions of all the other organizations, institutions, and individuals who have allowed this movement to flower in so many promising, and often unexpected, ways. But if we want to expand this movement, or effectively recreate these successes around other issues, then we must also develop a shared analysis of the primacy of transformative organizing within the broad and interconnected set of movement-building strategies.

## **MOVEMENT VICTORIES, NOT POLICY VICTORIES**

Our sector, meaning those who dedicate themselves to the struggle for racial and social justice, advocate for many different kinds of changes: changes in policy, changes in case law, changes in language use, changes in attitudes, and so on. Ultimately, all of those efforts are directed at changing behavior – we want to influence the decisions to act, or not to act, by people in ways that lead to a more just and equitable society. Yet, unfortunately, we often lose sight of that overarching goal, and become somewhat myopic in our approach. So, for example, we

become fixated on changing a particular policy but fail to devote the proper attention to determining whether it translates to improved practice.

Our experience has educated us on the limitations of policy change. While our campaigns have necessarily been directed at changing state laws or local policies, the policy changes we have made have not, by themselves, always translated very well to improved outcomes for students. In fact, if you look at the last ten years in Denver, the period in which the least progress was made in addressing the School-to-Prison Pipeline was in the two years following passage of the new discipline policy. Far more progress was made before and after that, when our organizing and communications efforts were stronger. Those were the keys to changing practices at the school and district level; the policy change itself was merely a tool that helped to focus efforts on the front end, and provide leverage on the back end.

While policy victories are critically important, if there isn't anything or anyone to sustain them, they can be rolled back just as quickly as they were achieved. We need to teach our communities the importance of continuous vigilance that prevents backsliding. Otherwise, our victories will be nothing more than sand castles that can be washed away by the powerful waves of systemic oppression.

Moreover, the goal is not to secure a one-time or one-issue win, but rather to challenge entrenched and inequitable power structures and create broad systemic change across multiple fronts of injustice. Thus, throughout our School-to-Prison Pipeline reform work, our broader goal has always been to enhance the power and capacity of the community through the process of realizing policy change. It is only with that as an overarching goal that we can create a more equitable distribution of political influence that will not only protect school discipline policy victories, but also translate into broader social and racial progress going forward.



## ELEVATING THE ROLE OF RACE

There is a very corrosive myth that has permeated strategic discussions within the advocacy community within recent years, which is that we should be downplaying the role of race because it is “divisive” and thus impedes progress. While we understand the importance of being strategic in our messaging, and even in segmenting our messaging to fit different audiences, we are absolutely clear that where our analysis points to race playing a key role, we need to say so directly. When done effectively, talking about race is not divisive; on the contrary, directly confronting racism is essential to building unity and achieving the necessary clarity of analysis.

Rather than impeding progress, we have learned that there can be no meaningful, long-term progress in the issues that matter most to our communities when the role of race is not accounted for. It’s simply vital to situating our current work within the proper historical context as well as an analysis of current and ongoing forms of systemic racism. Moreover, even when we are successful in realizing policy reform on a racially discriminatory policy, if we fail to situate it within the appropriate context, it will likely exacerbate racial inequality. For example, race-neutral school discipline reforms typically lead to the “last in/first out” dynamic: White students are typically the least affected by the problem, and the most likely to benefit from the solution.

To be clear, it is absolutely true that talking openly about race can offend certain people or make them uncomfortable. That has certainly been our experience with many policymakers in Denver and throughout Colorado. But speaking frankly about racism in those settings wasn’t being divisive. Invariably, there was already a divide between those individuals and us; talking about the causes of that divide merely exposed it. And over time, by helping those people and others to understand structural racism, and being consistent in those efforts, we have been able to move the debate and establish the role of race at its core. As a result, many of the same individuals who initially responded

angrily when we spoke about racial disparities in school discipline now speak powerfully in public about the need to address racial inequities, and then back it up with racially-conscious work.

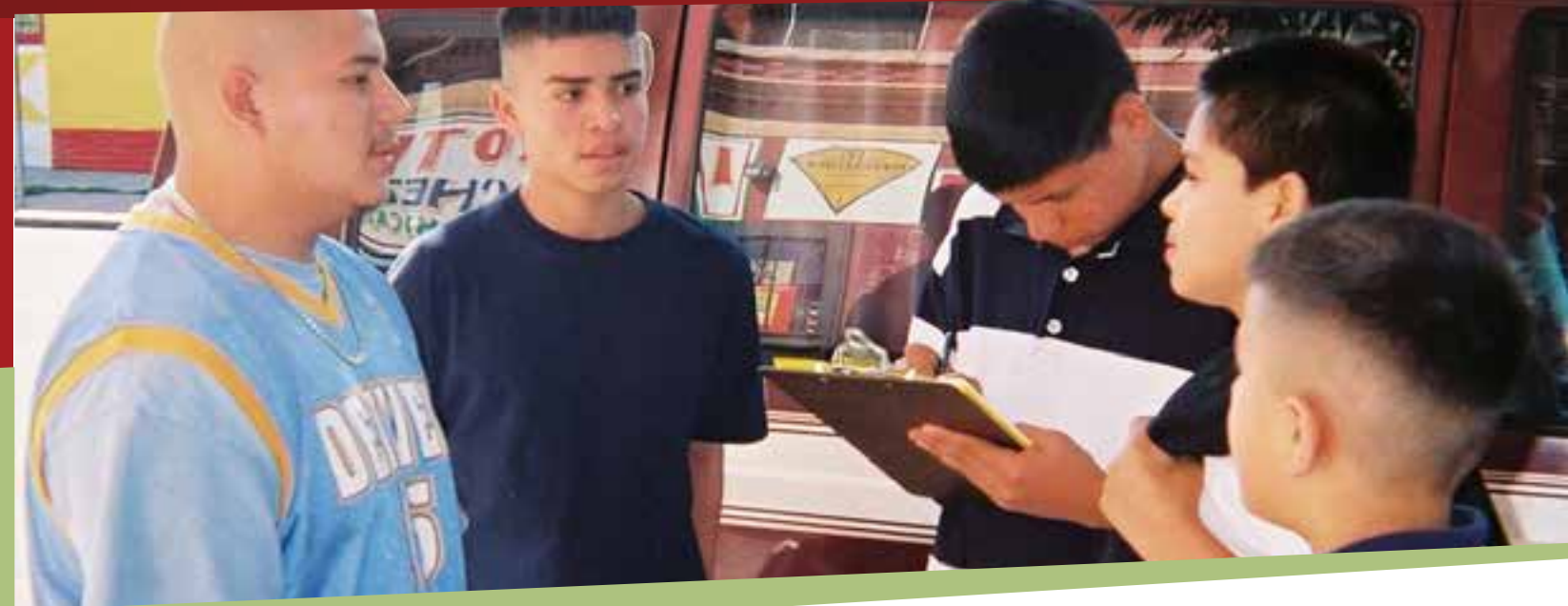
## LEADERSHIP OF YOUTH OF COLOR

There have been many individuals and organizations that have contributed to the progress we have made in Denver and throughout Colorado. And numerous policymakers and members of the community have demonstrated tremendous leadership throughout the process. However, none of our successes would have been possible without the dynamic and sophisticated leadership of youth of color. Their fearlessness, moral clarity, and tireless ambition for themselves and their communities have fueled nearly all of the work described above. It was their demand of fair treatment that charted the course of our campaigns. It was their tenacity, and unwillingness to have their views discounted, that sustained the struggle even when things looked bleak. And it was their ability to convince countless adults and other youth of the urgent need for reform that changed both policies and practices.

What we learned, however, is that as our campaigns increasingly brought us into the policymaking realm, it became very difficult for students to be fully engaged. For example, the negotiations for the new DPS policy involved hundreds of hours of meetings and discussions that were scheduled during the school day and were, at times, extremely tedious and legalistic. Having full participation of our youth leaders throughout that process was probably unrealistic. And yet there were some strategies we could have used to promote additional participation and leadership for our youth members. We could have done more to create more inclusive processes. We could have done more to ensure the negotiators were always reflecting the views of youth. And we could have done more to make sure we were sharing with youth the lessons we were learning from the process.

## COMMUNITY LEADERSHIP

Many grassroots organizations are asked to merely provide the “voice from the streets” or turn out their members in support of the more “respectable” policy leaders or experts. At PJU, we strongly resist this tokenization, and have worked to build our own in-house expertise so that we are creating our own solutions that benefit not only our community, but all members of society.



Many organizations similar to ours have also struggled with striking the appropriate balance between short-term needs and long-term goals, and we suspect this tension will only become more common – and important – as this movement progresses.

## THE PERSISTENCE OF THE SCHOOL-TO-PRISON PIPELINE AND ITS BENEFICIARIES

Years ago, when the harms of the zero-tolerance approach had become quite apparent, why weren’t these policies immediately discontinued? Why, instead, did they spread rapidly all across the country?

Or, to bring the discussion into the current era, why are these policies still in use throughout the country when we now have an overwhelming body of research documenting their deficiencies, harms, and alternatives? How can they still be implemented when we know for certain that they will continue to have a

devastating effect on youth of color? In other words, how can we employ policies that, regardless of initial intent, are now undoubtedly racist, in that one would have to be willfully ignorant to remain unaware of their discriminatory impact? To answer these questions, we must understand why the pushout and criminalization of youth of color do not concern many members of the entrenched power structure, and how in many ways it is profoundly advantageous to them.

The School-to-Prison Pipeline has short-term beneficiaries and long-term beneficiaries; those whose interests are being served by the pushout and criminalization of youth, and who have a stake in the pipeline being perpetuated. The short-term beneficiaries largely fall into two categories: (1) the teachers and administrators who, as a result of exclusionary discipline, enjoy temporary reprieve from students perceived to be defiant, disruptive, or otherwise challenging or threatening; and (2) the (mostly White) parents who actively promote zero tolerance to exclude “problem



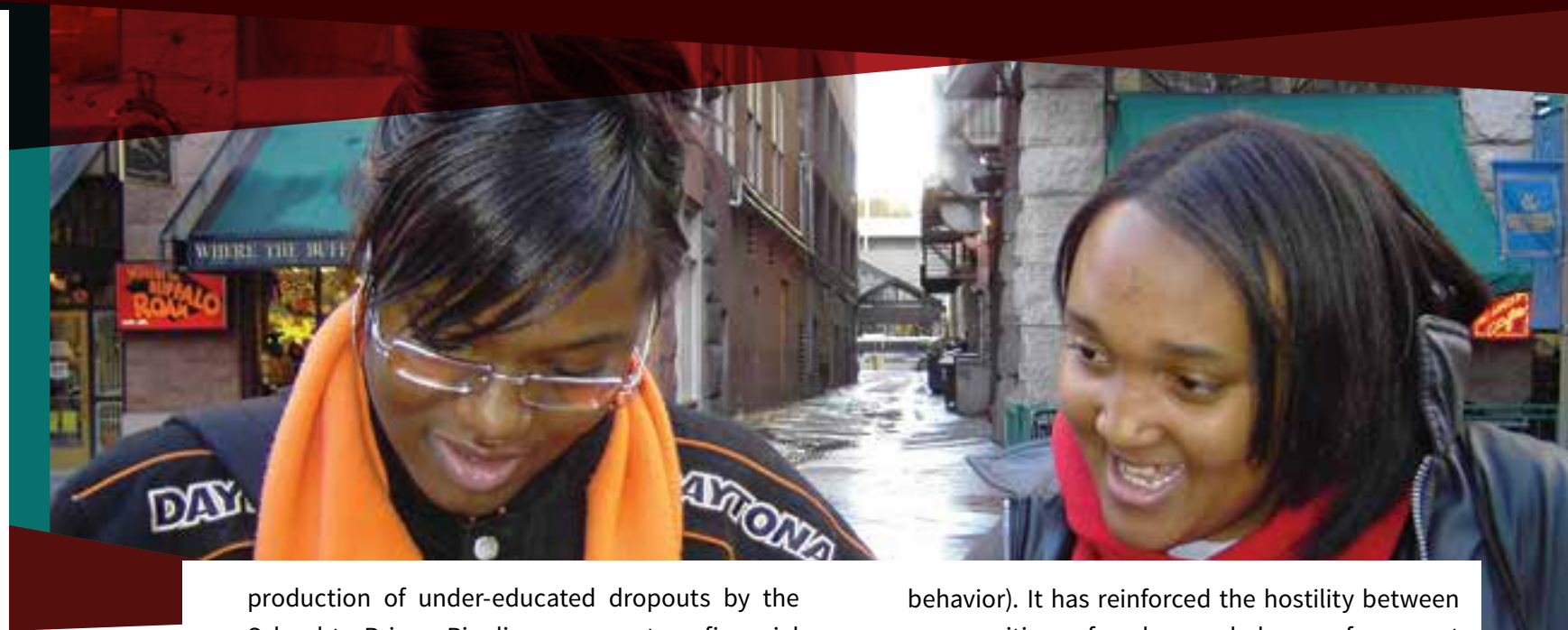
students.” What both groups usually fail to recognize is that, over the long-term, these policies are deeply harmful to themselves as well; in fact, the harms to their own long-term interests far outweigh whatever short-term benefits they receive by implementing zero-tolerance school discipline.<sup>32</sup> Nevertheless, that failure to differentiate between short- and long-term interests has led a small number of educators and parents down the misguided path of promoting the continued use of these punitive policies, unwittingly aiding the real long-term beneficiaries.

Like all systems of oppression, the School-to-Prison Pipeline is primarily serving the long-term interests of the corporate and political elite. In this sense, it is no different than slavery, Jim Crow, our current immigration system, and other, less obvious, mechanisms for preserving the status quo power structure. Among the ways in which the School-to-Prison Pipeline benefits the elite are the following:

- ▶ **Limits the social and political advancement of people of color** – The primary mechanisms used to seize and maintain power in this country are limiting educational opportunities and limiting the voting population. (Note that for all the federally protected rights U.S. citizens possess, the right to an education and the right to vote are not among them.) For the conservative elite, underfunding schools, promoting punitive discipline, implementing mass incarceration, preventing formerly incarcerated persons from voting, and implementing laws making it harder to vote are all part of the same strategy, which is to maintain their own power while limiting that of communities of color. Thus, while the School-to-Prison Pipeline is, in many respects, a new problem, in others it is very much an old problem. Throughout our nation’s history, the oppression directed at people of color has escalated during periods when they have the potential to realize political gains. From the slave uprisings to Reconstruction to the Civil Rights and Chicano movements, the advancement

of people of color has been met with extreme political force (and sometimes violence) from the dominant groups. It is no different now, when the conservative elite is becoming aware of inexorable demographic realities and becoming increasingly desperate to cling to their remaining political power.

- ▶ **Reinforces subordination of youth of color** – The narrative used to support harsh school disciplinary systems promotes the idea that those who face punitive consequences – overwhelmingly youth of color – deserve such treatment. The underlying message is that they are dangerous, inferior, and little is expected of them, which reinforces other efforts to demean and dehumanize youth of color.
- ▶ **Promotes social control** – One of the primary functions of both the public education and law enforcement systems is social control. These systems manage what we learn, how we engage with one another, and how we engage with systems of power. Some aspects of this system are beneficial; others have served traditionally to stifle dissent, collective action, and political progress. The School-to-Prison Pipeline has reinforced some of the more pernicious elements of social control, because it promotes subservience and discourages the free expression, curiosity, and creativity of youth. It also conditions youth of color to accept constant police presence, punishment, and life within an environment that often resembles prison.<sup>33</sup> It is thus an extension of the effort by conservative politicians since the 1980s to replace social welfare programs with dramatically expanded criminalization and incarceration policies as the primary poverty management system in this country.
- ▶ **Preserves a low-wage labor force** – Within our current economic structure, corporate profits depend in large part on having an over-abundance of people to fill low-paying, often menial jobs. Thus, our education system has never been designed for every student to succeed, and the



production of under-educated dropouts by the School-to-Prison Pipeline represents a financial boon to the business community. (Note that the policy discussion around the education of youth of color invariably focuses on the needs of employers or “the 21<sup>st</sup> Century economy,” and almost never around the students’ needs or community needs.)

- ▶ **Promotes the dismantling of public education** – It is no secret that the political Right has long sought to dismantle public goods such as public education, Social Security, and now “Obamacare.” The School-to-Prison Pipeline has served those interests by reinforcing the notion that public schools are unsafe, reallocating funds away from high-quality educational services, and actively creating school environments so toxic that students, parents, and educators are driven away to charter schools or private schools.
- ▶ **Foments race and class-based tension** – The School-to-Prison Pipeline has driven a wedge between many low-income communities of color and their mostly middle-class, mostly-White teaching forces. It has incited the resentment of mostly-White parents who complain bitterly about the disruptive students in schools but fail to see the root causes of the situation (including both the un-met needs of students and the over-reaction of educators to developmentally normative

behavior). It has reinforced the hostility between communities of color and law enforcement personnel. All of these dynamics are ultimately serving the interests of the powerful, because they prevent the interracial and inter-class unity that could begin to address the structural barriers to racial and social justice.

- ▶ **Preserves the Prison Industrial Complex and creates profit-making opportunities** – The School-to-Prison Pipeline serves the interests of what has become a bloated justice system, whose jobs are now dependent on mass incarceration, while also creating profit-making opportunities within the education and prison privatization sectors.<sup>34</sup>

In short, what we have learned is that we must not be so naïve to think that the School-to-Prison Pipeline – or any set of policies like it – will be addressed by policymakers simply because we can demonstrate that it is misguided, counter-productive, and discriminatory. The elimination of systems of oppression invariably requires marshaling enough public pressure and political force to surmount the deeply entrenched interests that created those systems and continue to sustain them.

## PARTICIPATORY DEMOCRACY AND SELF-GOVERNANCE

As in many communities, the prevailing attitude we have encountered over the years among school officials is that policymaking should be left up to them. Youth are expected to merely follow adults' instructions, and while parents are expected to participate during certain prescribed events, such as parent-teacher conferences (and are vilified if they do not), they generally encounter hostility if they make any additional efforts to participate in shaping the direction of their school or their district. Working with police officials has been similar. In order to penetrate that insular mentality, we have put a heavy emphasis on the popularization and democratization of what was typically thought of as insider information.

Policymakers have various strategies for shutting down efforts directed at structural reform, but they can be effectively countered when people are armed with data and research. Thus, it was critically important for us to: (1) ensure that data was being collected and reported; and (2) develop effective techniques for sharing this information with youth and parents. This was done partly through popular publications and other communications strategies, and also through trainings and workshops. These strategies are vital for making democracy more participatory, and for us they paved the way for the quarterly community meetings we now host in which our members can hold their policy makers accountable in the most direct of ways.

Ultimately, these strategies are essential for promoting improved self-governance within low-income communities. Because of the systemic inequality we are fighting against, and the longstanding deprivation of meaningful opportunities within the political process, the skills involved in self-governance have atrophied within many of our communities. We need to reverse this political disengagement, and that can only happen by helping people experience the policy change process and assume leadership roles within the community. These types of experiences can often not be quantified in the ways that we are often asked to prove our value as organizations. But ultimately it will be our success or failure in developing these capacities within our communities that determines whether deep, transformative change occurs.

## BUILDING UNITY

When our School-to-Prison Pipeline work began, our base and network of allies were almost entirely from the Latino community in Denver. However, we recognized early on that our success in moving forward on this issue was dependent on our ability to find unity with others who understood the dynamics of systemic oppression. For example, we have focused on expanding our organizing of Black students, while building relationships with individuals and organizations within the Black community. To be sure, creating multiracial coalitions has its challenges. As described above, at different times we have had to engage community members in deep, cross-cultural



## Mentions of “School-to-Prison Pipeline” in Major Newspapers: 2003 to Present

Source: Lexis-Nexis “Major Newspapers” Database



learning to get past tension and division that arose. Nevertheless, the resulting base of support was essential in both our local and statewide victories.

Similarly, over the last two years we have become much more conscious about building unity with the LGBTQ community. We recognized that our early policy reform efforts failed to adequately address the interests of this community, and that we needed to do more to support each other's work around our many common concerns. Thus we are now actively collaborating with LGBTQ rights organizations around a shared advocacy and public education strategy that will seek to unify the School-to-Prison Pipeline movement with the Safe Schools movement.

There are also more opportunities now than ever before within the national school discipline reform effort to partner with teachers, the juvenile justice community, and the faith community, among many others. We strongly believe that our sector needs to do more to capitalize on these opportunities to build a

strong and durable united front that can both advance the struggle against School-to-Prison Pipeline and translate to collaborative work on other social and racial justice issues.

## CHANGING THE PUBLIC DIALOGUE

At PJU, perhaps the most significant improvement we have made internally over the years is in our understanding of communications strategy. Our vastly improved abilities to influence the popular narrative and marry our organizing and advocacy strategies with a more sophisticated approach to communications have been powerful accelerants in our work. They have established the political conditions that have allowed all other aspects of our work to thrive.

For example, just between January 2011 and April 2013, the issue of school discipline in Colorado garnered more than 240 stories in local and national media.<sup>35</sup> To





get to that level, we had to learn to plan communications strategy in advance, just as we do with organizing and advocacy strategy. We, like many community-based organizations, had typically treated communications as an afterthought. We would plan a direct action or write a report and then at the last minute think about how to engage with the media to get the word out. Now, when we are developing our campaign strategies for the next six months or twelve months, we spend as much time developing our communications strategy as we do any other aspect of our work.

We have also learned that our efforts to change the public narrative need to be ongoing and almost continuous. Sending out a press release every six months or so, whenever our organizations do something “news-worthy,” is simply not effective in penetrating the public consciousness. We have learned that we need to provide regular political education that is popular and accessible, whether it’s through radio, community newspapers, social media, larger regional newspapers, local TV news, or some other medium. Only through consistent exposure to our framing and messages can the adults and youth in our communities gain a deeper understanding of systems of oppression and their impact, and begin to engage in action and fight injustice. By drawing connections between people’s personal experience and the larger systems at play, effective political education moves people from internalized oppression (blaming themselves, their families, their communities, etc.) to a clear analysis of systemic injustice. It gives people strength and power by situating

what at first seem like small or individual issues in the larger historical and global struggle for human rights. And it also keeps the issues within the forefront of the discussion with policymakers.

Thus, we have learned that we need to be continuously looking for ways to share the data, research, anecdotes, testimonials, and other information that will help our communities better understand these systems. While we may not always penetrate the mainstream media outlets, if we are persistent and creative in our approach, and on target with our analysis, we will eventually see results. That has certainly been evident nationally. For example, there were more mentions of the School-to-Prison Pipeline within major newspapers in the first seven weeks of 2014 than there were in the entire eight-year span from 2003 through 2010. It took years of work by numerous organizations to reach that level, but it is now beginning to pay dividends.

## KEY ROLE OF RESOURCE ALLIES

At PJU, we have learned how valuable it is to have resources allies like Advancement Project, who see it as their mission to provide key skillsets and resources that grassroots communities of color are often lacking. Through our work with Advancement Project, PJU not only waged more ambitious campaigns, but the organization itself made a qualitative leap in our effectiveness and impact by developing the ability to conduct more thorough research, engage more deeply on policy and legal issues, and get our messages out more

often and more effectively. For PJU, the partnership with Advancement Project has provided us with many more tools to put in our toolbox, which has opened up entirely new possibilities as we have developed organizational strategy.

For example, as we described above, Advancement Project has greatly expanded PJU’s ability to collect and use data, which has been critically important to deepening our analysis, validating the experiences of our members, and raising community consciousness. PJU now uses data far more often than we ever had previously, on all of our campaigns, and we have developed the rigor of basing our analysis and advocacy on a much more robust foundation of research that will hold up in any and all circumstances.

Additionally, Advancement Project’s support in developing organizational strategy, writing policy, conducting negotiations, and employing strategic communications strategies was critical to achieving such resonant victories. For example, their status as a national organization and in-house communications expertise allowed our local reports and victories to receive national coverage. Advancement Project conducted public opinion research that helped shape messaging for various audiences. This not only helped to shift the public discourse around school discipline, but it also raised the visibility of our efforts within our movement, allowing us to create the connections necessary for victories to be replicated and collective capacity to be strengthened.

Similarly, Advancement Project has used its stature as a national organization to build and strengthen the

movement of grassroots organizations. For example, organizations in places like Baltimore, Philadelphia, and Chicago can both hear about the progress in Denver and then, by working directly with Advancement Project, can apply many of our lessons learned. This has both broadened and deepened the work of this movement, as organizations continually build off the momentum created by others. To achieve that dynamic, you need local organizations to take up the fight, but you also need a mechanism for “quilting” together what could otherwise be separate and distinct efforts. Advancement Project has been invaluable in playing that role within our network of peer organizations devoted to dismantling the School-to-Prison Pipeline.

Just as important as what Advancement Project has done is how they have done it. Effective, mutually respectful collaboration can be difficult to achieve between grassroots groups and national allies. Powerful national organizations can sometimes assume a paternalistic role, treating grassroots organizations as necessary but expendable troops on the ground who must be always be led by more intelligent and sophisticated generals. What made our working relationship so effective was that Advancement Project fully recognized the grassroots leadership of our members and leaders. They never saw themselves, or conducted themselves, as generals leading troops, speaking for us or providing direction we could not find ourselves. Instead, Advancement Project saw their role as providing advanced skillsets and resources in service of the PJU’s strong grassroots leadership and as supporting us in developing those skills and capacities ourselves. Importantly, Advancement Project would also never hesitate to get in the trenches

with us to log the long hours necessary to plan strategy or to prepare for PJU's actions, meetings, and other events.

Thus, a key lesson learned through our ten years of work together is that an expansion of deep, respectful, and mutually beneficial partnerships between grassroots organizations and resource allies is critical to advancing the work of the social and racial justice sector.

## THE NEED FOR DEEP ENGAGEMENT

A grossly oversimplified, but still largely accurate, description of the typical fundraising/advocacy cycle within the non-profit sector would be: (1) identification of problem by organization(s); (2) fundraising to address problem; (3) campaign(s) to pass policy that addresses problem; (4) success or failure in realizing policy change; and (5) shifting of priorities by both the organization(s) and funders. Typically, this cycle lasts two or three years. Indeed, during the last ten years, there have been several dramatic ebbs and flows in the advocacy attention and funding devoted to the School-to-Prison Pipeline. Yet it is our firm belief that most of our progress has been a result of sustaining our efforts through those vicissitudes. We simply would not have been able to deepen our work, make substantial local and regional progress, and help advance the national movement if we had treated this as a one-issue fight and then moved onto something else.

In our view, at the core of the School-to-Prison Pipeline is a struggle that will not end with the passage of policies, no matter how good they are. Its roots simply go too deep, and the systems that perpetuate it are too powerful. Thus, we are hopeful that more organizations will be able to engage deeply with these types of core racial justice issues over the long term. Not only will that improve the ability of individual organizations to create sustainable systemic change, but it will allow the organizing and advocacy community to transition from largely independent pockets of local and regional work

to more coordinated and powerful state, regional and national movements.

## THE CHALLENGE OF ENFORCING AND IMPLEMENTING OUR MOVEMENT VICTORIES

The landmark package of community-driven disciplinary policy reforms that we have won in Colorado—the district code rewrite in 2008, the statewide law in 2012, the district-police IGA in 2013—is widely recognized as one of the most powerful in the country. At this point where some organizations might be happy to move on after winning such major changes and seeing such striking initial results, and others might find themselves stuck when implementation does not go as they had foreseen, we are doubling down and trying to solve the puzzle of systemic implementation and structural transformation. We recognize that winning the policy changes was the first part of our struggle. Getting the laws and policy wins fully and faithfully implemented—making these reforms real in every classroom and every school, not just on paper—is more difficult and requires us to innovate and experiment in our organizing and campaigns once more.

At this time, we are building models that we will take to scale for implementation and accountability of our wins towards eliminating the School-to-Prison Pipeline. In Denver, we are pro-actively initiating a new accountability structure and process to enforce and implement the IGA, bringing the district and police department together to restrict the role of police in school discipline. We are also building an unprecedented collaboration that brings four major stakeholders together for the effective implementation of the JK-R discipline policy that we won in DPS. The project includes DPS, the University of Denver, DCTA (teachers union) and PJU. We are launching a district-wide Know Your Rights Campaign to empower students and parents to defend and protect their rights under the new policies, and to spark the accountability-focused, problem solving conversations that must unfold in every school—bringing together administrators, teachers, staff, students, parents

and community members—about what is and is not working and what solutions are needed. In Denver and statewide, as we confront the new complicated world of implementation, we are also seeing the need to develop new tools for data analysis and data reporting that can address the counterposed need to acknowledge real initial gains for all students, while staying focused on the deepest and most entrenched forms of institutionalized racism that remain unmoved. We are seeking constantly identify what is working and why, how to lift it up and replicate it; while evolving new methods to identify and target what remains the most regressive and resistant, and how to transform it or resolve it.

At the heart of all our work toward systemic implementation is to renew and deepen our organizing among the most directly impacted communities for empowerment and self-determination. What is at stake is the abolishment of racism in school discipline. It does not easily go away because it is institutional racism, deeply entrenched in the institution of public education since its very “whites only” inception. This kind of transformation cannot be led, ultimately from the top down or simply legislated into being. This kind of implementation must be fought for and won from the bottom up, led by the students and families of color who have are most deeply affected have nothing to lose.

## CONCLUSION

In our view, addressing the School-to-Prison Pipeline represents perhaps the foremost social and racial justice issue of our time. It sits at the precise intersection point of perhaps the two most significant threats to communities of color across the country: the continuing under-education of youth of color and mass incarceration. And so, just as those who came before us fought merely to have schools, fought against segregated education, fought for the rights of undocumented students to attend school, and fought for equitable school funding, so too will we continue to fight against the disciplinary pushout and criminalization of our youth. We must, because at the heart of these challenges is the still-widespread and deeply pernicious belief in the inferiority of people of color. Yet as the youth of color leading this work continue to elevate their voices and expand their power, they also actively destabilize the perception that they are less deserving of high quality education, and more inclined toward criminality.

We also believe the significance of this work goes far beyond school discipline matters, or even the education and juvenile justice systems more broadly. Fundamentally, this work is about dismantling the

systemic barriers to political participation and building a more participatory and just democracy, in which the political agenda is responsive to on-the-ground needs and grassroots communities are full participants in making policy. In other words, this work is about giving people more control of their lives and eliminating structural racism. Our efforts in this area have provided one example of how communities can make meaningful inroads in advancing racial justice and more robust democratic practices, first at the very local level, then across a city, across a state, and ultimately influencing policy across the country. Through this process, we have demonstrated the immense power that exists within our communities of color, and how youth organizing in particular can be a driving force for systemic change. Now, in the next phase of our racial justice and movement-building efforts, we will apply our many lessons learned to help more communities in Colorado and across the country continue to build and exercise that power, and create the truly just society our people deserve.



## ENDNOTES

- 1 Jóvenes Unidos, *North High School Report: The Voice of Over 700 Students* (March 2004), [http://padresunidos.org/sites/default/files/North\\_High\\_Report.pdf](http://padresunidos.org/sites/default/files/North_High_Report.pdf).
- 2 Data obtained from Colorado Department of Education, <http://www.cde.state.co.us/cdereval>.
- 3 *Id.*
- 4 Advancement Project, in partnership with Padres & Jóvenes Unidos, et al., *Education on Lockdown: The Schoolhouse to Jailhouse Track*, 23-24 (March 2005), [http://b.3cdn.net/advancement/5351180e24cb166d02\\_mlbrqxlh.pdf](http://b.3cdn.net/advancement/5351180e24cb166d02_mlbrqxlh.pdf).
- 5 Advancement Project, *Test, Punish, and Pushout: How "Zero Tolerance" and High-Stakes Testing Funnel Youth Into the School-to-Prison Pipeline*, 9-10 (Jan. 2010), [http://b.3cdn.net/advancement/d05cb2181a4545db07\\_r2im6caqe.pdf](http://b.3cdn.net/advancement/d05cb2181a4545db07_r2im6caqe.pdf).
- 6 *See id.*; Henry A. Giroux, "Schools and the Pedagogy of Punishment" (Oct. 2009), <http://archive.truthout.org/10200910>; Michelle Fine & Jessica Ruglis, "Circuits and Consequences of Dispossession: The Racialized Realignment of the Public Sphere for U.S. Youth" (2009), <http://www.indiana.edu/~atlantic/wp-content/uploads/2011/11/Fine-Ruglis-Circuits-and-Consequences-of-Dispossession.pdf>; Kelly Welch & Allison Ann Payne, "Racial Threat and Punitive School Discipline" (Feb. 2010), SOCIAL PROBLEMS.
- 7 *See* Advancement Project, *Test, Punish, and Push out*, *supra* note 5. For example, similar to "three-strikes" laws in the criminal justice system, Colorado law allowed teachers to permanently remove students from their classrooms if they were disruptive three times over the course of a year. Another law required the expulsion of any student suspended three times in a year for "causing a material and substantial disruption." Additionally, just as it had become fashionable to crack down on low-level offenses outside of the school, so too did the "broken windows" theory take hold in school discipline, such that in Denver students were routinely suspended for minor, or even trivial, behaviors.
- 8 *See, e.g.*, Judith Browne-Dianis, Letter, "Schools are Harsher on Minorities and Shouldn't Be," WALL STREET JOURNAL, <http://online.wsj.com/article/SB10001424052702304692804577281592693699310.html>; Anne Gregory, Russell J. Skiba & Pedro A. Noguera, *The Achievement Gap and the Discipline Gap: Two Sides of the Same Coin?* (Jan. 2010), EDUCATIONAL RESEARCHER; Aaron Kupchik & Geoff K.Ward, *Reproducing Social Inequality through School Security: Effects of Race and Class on School Security Measures*, <http://www.edweek.org/media/kupchikward-02security.pdf>; Charles Hamilton Houston Institute for Race and Justice, *Understanding the Role of Implicit Bias in Fueling the School-to-Prison Pipeline* [on file with authors].
- 9 Data obtained from Colorado Department of Education, <http://www.cde.state.co.us/cdereval>.
- 10 *Id.*
- 11 *See generally* Advancement Project, *Police in Schools Are Not the Answer to the Newtown Shooting* (Jan. 2013), [http://b.3cdn.net/advancement/a24bfe0e82e0a37d66\\_lzm6bkclv.pdf](http://b.3cdn.net/advancement/a24bfe0e82e0a37d66_lzm6bkclv.pdf).
- 12 Fine & Ruglis, *supra* note 6.
- 13 *Supra* note 6.
- 14 Advancement Project, *supra* note 5.
- 15 National Association of State Budget Officers, *State Expenditure Reports*, <http://www.nasbo.org/publications-data/state-expenditure-report>.
- 16 In 1994 California voters adopted "Proposition 187," which denied most basic services to anyone suspected of not being a citizen or legal resident including education, health and social services. In 1996, President Clinton signed into law the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the new welfare law), which took a wide range of federal benefits and services away from both undocumented and legal immigrants, including food stamps and Supplemental Security Income. (SSI benefits were later restored, but only for those immigrants who entered the country before August 22, 1996, the day the law went into effect). That same year the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA)

was adopted, foreclosing immigrants from challenging abusive practices and policies of the Immigration and Naturalization Service (INS) in court.

- 17 Cite from Daniel
- 18 Advancement Project, *Derailed: The Schoolhouse to Jailhouse Track*, 10 (May 2003).
- 19 *Supra* note 4.
- 20 For example, the district raised an objection that it would be excessively costly to implement the new policy, and we had to demonstrate that it was in fact budget-neutral.
- 21 For example, there were at least 15 articles in the Denver Post that mentioned the arrest and attempted prosecution of the principal in 2008 and 2009.
- 22 Data obtained from Colorado Department of Education, <http://www.cde.state.co.us/cdereval>.
- 23 *Id.*
- 24 *Id.*
- 25 *Id.*
- 26 *Id.*
- 27 *Id.*
- 28 *Id.*
- 29 Legislative Task Force to Study School Discipline, Report to the Colorado General Assembly (Dec. 2011), <http://www.colorado.gov/cs/e?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251761735777&ssbinary=true>.
- 30 For example, while referrals to law enforcement had still dropped considerably from when we began the work, DPS still had the 8th highest rate of referral to law enforcement among Colorado's 20 largest school districts during the 2010-11 school year. Colorado Department of Education, <http://www.cde.state.co.us/cdereval>.
- 31 U.S. Department of Education, *Guiding Principles: A Resource Guide for Improving School Climate and Discipline*, 9 (Jan. 2014).
- 32 *See, e.g.*, Advancement Project, et al., *Handcuffs on Success: The Extreme School Discipline Crisis in Mississippi Public Schools*, 13-18 (Jan. 2013), [http://b.3cdn.net/advancement/bd691fe41faa4ff809\\_u9m6bfb3v.pdf](http://b.3cdn.net/advancement/bd691fe41faa4ff809_u9m6bfb3v.pdf).
- 33 Aaron Kupchik & Torin Monahan, *The New American School: Preparation for Post-Industrial Discipline* (Nov, 2006), *British Journal of Sociology of Education*.
- 34 *See, e.g.*, Tara Herivel & Paul Wright (eds.), *Prison Profiteers: Who Makes Money from Mass Incarceration* (Spring 2009), New Press; Stephanie Simon, "Privatizing Public Education: Big Firms Eyeing Profits from U.S. K-12 Market" (Aug. 2, 2012), Reuters.
- 35 Analysis by The Hatcher Group [on file with authors].









# PADRES & JÓVENES UNIDOS (PARENTS AND YOUTH UNITED)

With roots in the struggle for educational justice, Padres Unidos has evolved into a multi-issue organization led by people of color who work for educational excellence, racial justice for youth, immigrant rights and quality healthcare for all. Jóvenes Unidos, the youth initiative of Padres Unidos, emerged as young people became active in reforming their schools, ending the school to jail track and organizing for immigrant student rights. Both Padres and Jóvenes Unidos build power to challenge the root cause of discrimination, racism and inequity by exposing the economic, social and institutional basis for injustice as well as developing effective strategies to realize meaningful change.

## ADVANCEMENT PROJECT

Advancement Project is a next generation, multi-racial civil rights organization that tackles inequity with innovative strategies and strong community alliances. With a national office in Washington, DC and two offices in California, Advancement Project combines law, communications, policy and technology to create workable solutions and achieve systemic change. Advancement Project aims to inspire and strengthen movements that expand opportunity for all.

**Advancement Project: The Audacity to Make Change Happen**

DENVER PUBLIC SCHOOLS  
ADMINISTRATION BUILDING

