



UNITED STATES COMMISSION ON CIVIL RIGHTS

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August 23, 2016

The Honorable Catherine E. Lhamon
Assistant Secretary, Office for Civil Rights
U.S. Department of Education
LBJ Building
400 Maryland Avenue, SW
Washington, DC 20202-1100

Ms. Joyce Silverthorne
Director, Office of Indian Education
U.S. Department of Education
LBJ Building
400 Maryland Avenue, SW
Washington, DC 20202-1100

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

Dear Ms. Lhamon and Ms. Silverthorne:

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

The Commission requests that your offices review and implement the recommendations directed to the U.S. Department of Education in the Report. This includes a request that the Department conduct a national study on the impact of poverty on disparities in educational outcomes on the basis of race or color.

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

The Oklahoma Advisory Committee found that harsh school disciplinary policies create a situation where students, particularly students of color and students with disabilities, disengage

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

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

The Commission appreciates your consideration of this Report's recommendations, in the hope of improving educational opportunities for youth in Oklahoma and across the U.S.

Sincerely,



Martin R. Castro, Chairman



Patricia Timmons-Goodson, Vice-Chair



Roberta Achtenberg, Commissioner



David Kladney, Commissioner



Karen K. Narasaki, Commissioner

Encl:

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

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