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FACT SHEET 2013  
S.B. 393

## Reduce the Costly and Unnecessary Over-Criminalization of Misbehavior in School *Implement Counseling and Progressive Sanctions in Lieu of Class C Misdemeanors*

### CLASS C TICKETING IN TEXAS' PUBLIC SCHOOLS

While well intentioned, school discipline practices in Texas – like “zero-tolerance policies” – have resulted in a multitude of negative consequences: the over-criminalization of adolescent behavior, disproportionate discipline among youth of color and youth with disabilities,<sup>1</sup> greater numbers of expulsions,<sup>2</sup> and a path to future juvenile justice system involvement.<sup>3</sup> Furthermore, schools’ uses of School Resource Officers (on-campus law enforcement officers) have led to a dramatic uptick in Class C misdemeanor citations among youth.<sup>4</sup>

Texas should more effectively address adolescent misbehavior within public schools through the use of counseling and alternative sanctions that do not result in costly, long-term collateral consequences (e.g., a criminal record and a hefty fine).

### KEY FINDINGS

- Texas Applesseed reports that the use of **Class C misdemeanor tickets within the school setting are frequently issued for minor level offenses** (e.g., indecent language or an offensive gesture), which are behaviors that historically have been addressed by school administrators.<sup>5</sup>
- Ticketing practices within Texas’ schools are highly disproportionate, with both African-American and Hispanic students being overrepresented among those disciplined.<sup>6</sup>
- Texas’ school disciplinary practices increase the likelihood of future juvenile justice involvement,<sup>7</sup> at great expense to taxpayers and to students saddled with the long-term collateral consequences of system involvement.
- **Implementing “common-sense” discipline practices (e.g., behavioral therapy and progressive sanctions) rather than relying heavily on ticketing has resulted in success for multiple school districts across the nation.**<sup>8</sup>

### COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT S.B. 393 BY SENATOR WEST

- **S.B. 393 will allow certain courts, schools, or probation departments to provide at-risk youth with case managers and prevention and intervention services, to help them target the root causes of their misbehavior and improve their likelihood of graduating.** As opposed to receiving a Class C misdemeanor citation for certain conduct, students will have the opportunity to address their misbehavior through counseling and avoid justice system involvement.
- **S.B. 393 will allow school districts to alternatively sanction youth who engage in disorderly conduct, disruption of class, or disruption of transportation.** Rather than receiving citations for misbehavior, youth will be subject to progressive sanctions including a warning, a behavioral contract, school-based community service, or counseling or other services aimed at addressing behavioral problems.

*Citations on reverse.*

## Citations

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<sup>1</sup> Council of State Governments, *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (July 2011).

<sup>2</sup> Ibid.

<sup>3</sup> Council of State Governments, *Breaking Schools' Rules* (July 2011).

<sup>4</sup> Texas Appleseed, *Texas' School-to-Prison Pipeline: Ticketing, Arrest & Use of Force in Schools* (2010).

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Council of State Governments, *Breaking Schools' Rules* (July 2011).

<sup>8</sup> Advancement Project, *Ending the Schoolhouse to Jailhouse Track* (2012),

<http://www.advancementproject.org/issues/stopping-the-school-to-prison-pipeline/pages/stories-and-victories>.