Reduce the Costly and Unnecessary Over-Criminalization of Misbehavior in School

Implement Counseling and Progressive Sanctions in Lieu of Class C Misdemeanors

SAFELY REDUCE 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,1 greater numbers of expulsions,2 and a path to future juvenile justice system involvement.3 Furthermore, schools’ use of School Resource Officers (on-campus law enforcement officers) have led to a dramatic uptick in Class C misdemeanor citations among youth.4 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 Appleseed 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.5

• Ticketing practices within Texas’ schools are highly disproportionate, with both African-American and Hispanic students being overrepresented among those disciplined.6

• Texas’ school disciplinary practices increase the likelihood of future juvenile justice involvement,7 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.8

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT H.B. 3057 BY REPRESENTATIVE HERRERO

• H.B. 3057 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, students will have the opportunity to address their misbehavior through counseling and avoid justice system involvement.

• H.B. 3057 will allow school districts to alternatively sanction youth who engage in behavior that is punishable by a Class C misdemeanor. 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

1 Council of State Governments, Breaking Schools’ Rules: A Statewide Study of How School Discipline Relates to Students’ Success and Juvenile Justice Involvement (July 2011).
2 Ibid.
3 Council of State Governments, Breaking Schools’ Rules (July 2011).
5 Ibid.
6 Ibid.
7 Council of State Governments, Breaking Schools’ Rules (July 2011).