

Innocence Initiative 2020 Policy Brief

A LIVED-EXPERIENCE DATA BLACK PAPER

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ABOUT THE INNOCENCE INITIATIVE

The Innocence Initiative is a collaborative effort to elevate the data, listen to the real-life stories of Black girls, and address disparities that perpetuate adultification bias through advocacy, training, and public awareness. The collaborative includes the following organizations: Girl Scouts of Central Texas, Hearts2Heal, Lone Star Justice Alliance, MEASURE & Community and Advocacy Healing Project and evaluation support from Georgetown Law Center on Poverty and Inequality Center. Sponsors include Impact Austin, Greater Moun Zion Church & St. David's Foundation.

WHAT IS ADULTIFICATION BIAS?

According to Georgetown Law's Center on Poverty and Inequality, adultification bias is defined as a "social or cultural stereotype that is based on how adults perceive children in the absence of knowledge of children's behavior and verbalization."¹ When a society embraces harmful stereotypes such as Black girls are promiscuous or Black girls are aggressive, these stereotypes may lead to unfair treatment of the Black girls in school, the justice system, and at home.

ALTHOUGH BLACK FEMALE STUDENTS
MADE UP 7.6% OF THE SCHOOL
POPULATION, THEY MADE UP

20%

OF REPORTED DISCIPLINARY ACTION

Source: U.S. Dept. of Education Civil Rights Data Collection.

WHY WE NEED POLICIES TO PROTECT BLACK GIRLS IN CENTRAL TEXAS RIGHT NOW

Black girls receive disproportionate rates of punitive treatment in the education and juvenile justice systems. Among girls in Central Texas Region 13 schools, Black female students have the highest rate across all disciplinary actions reported. Although black female students make up 7.6% of the school population, they made up 20% of reported disciplinary action.

In partnership with a group of community members, this policy brief has been developed to recommend urgent changes that are needed to protect Black girls in Central Texas.

MEASURE has analyzed disciplinary and juvenile justice data in partnership with community members and used the CARE Model, MEASURE's community mobilization process, to collect feedback regarding thoughts, lived-experiences, feelings, and views regarding adultification bias. These sessions have helped inform this report and our advocacy.

Black girls need policy change now so that more research and evidence-based solutions can be developed to combat institutionalized racism in the education and juvenile justice system.

Sources

1. Morris, E.W. & Perry, B.L., Girls Behaving Badly? Race, Gender & Subjective Evaluation in the Discipline of African American Girls, 2017
2. Epstein, et al., Girlhood Interrupted: The Erasure of Black Girls' Childhood, 2017
3. U.S. Dept. of Education Civil Rights Data Collection, Texas Region 13, 2015-16 school year

METHODOLOGY

School discipline data and student demographics data for the 2015-2016 school year were exported from the Office of Civil Rights Data online portal for individual ISDs in Region 13 as mapped and assigned by Texas Education Agency (TEA).⁴ The Region 13 Educational Service Center includes 17 counties in Central Texas.

Data was provided as counts of individual disciplinary actions for all students, reported by racial/ethnic groups and gender. The analysis was restricted to disciplinary outcomes for female students in this population.

Lived-experience data was collected through direct outreach to Black girls who have attended MEASURE Community Data-Gatherings.

DATA ANALYSIS

Rates of disciplinary outcomes were calculated for each racial/ethnic group as the number of each type of disciplinary action associated with the group divided by each racial/ethnic group's total enrollment. Black and Hispanic student disciplinary outcome rates were divided by the analogous rate for White students to determine the degree to which Black or Hispanic students were more or less likely to experience these outcomes compared to the reference group.

LIMITATIONS

The analysis was done using data associated with the 2015-2016 school year, as these were the most recent data that were available on the Office of Civil Rights Data portal. Trends observed within this timeframe may not reflect current trends. This underscores the importance of frequent reporting under policy recommendations.

Sources

4. Region 13 Educational Service Center <https://www4.esc13.net/about>

LIVED- EXPERIENCE DATA & STORYTELLING

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"It is upsetting knowing that [Black girls] cannot break the system due to a lack of support within a place that is supposed to support their education as well as their individuality. As a proud Black female, I know that injustice not only applies to Black males but also extends to Black females. As stereotypes are put on us, we are more likely to receive harsher punishment or punishment alone for committing the same actions as a female of another race."

-High School Black Girl

"It is important for things to change because if this keeps happening and kids think this is normal, then in the future when we are adults we will continue to treat each other unfairly. If we are the future how are we supposed to make a difference with discrimination and unequal treatment in the way of our success?"

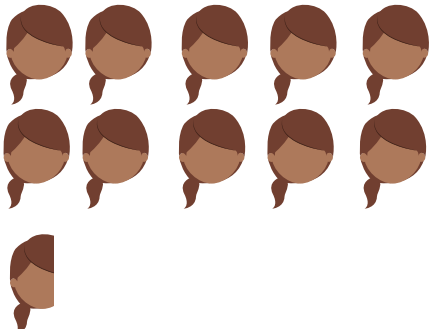
-Middle School Black Girl

"The school systems in low-income neighborhoods are not built for people of color to succeed. Unfortunately, (it feels like) people of color are more likely to go to prison than to go to college."

-Middle School Black Girl

our experience
makes us
EXPERTS

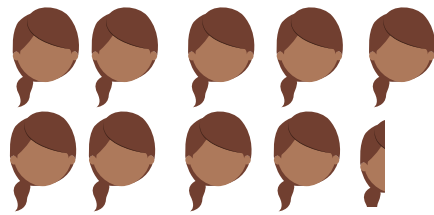
THE DATA



10.6X

Insight 1:

Black female students are 10.67 times more likely than white female students to **receive more than one out-of-school suspension ruling**.



9.3X

Insight 2:

Black female students are 9.3 times more likely than white female students to be **referred to law enforcement**.



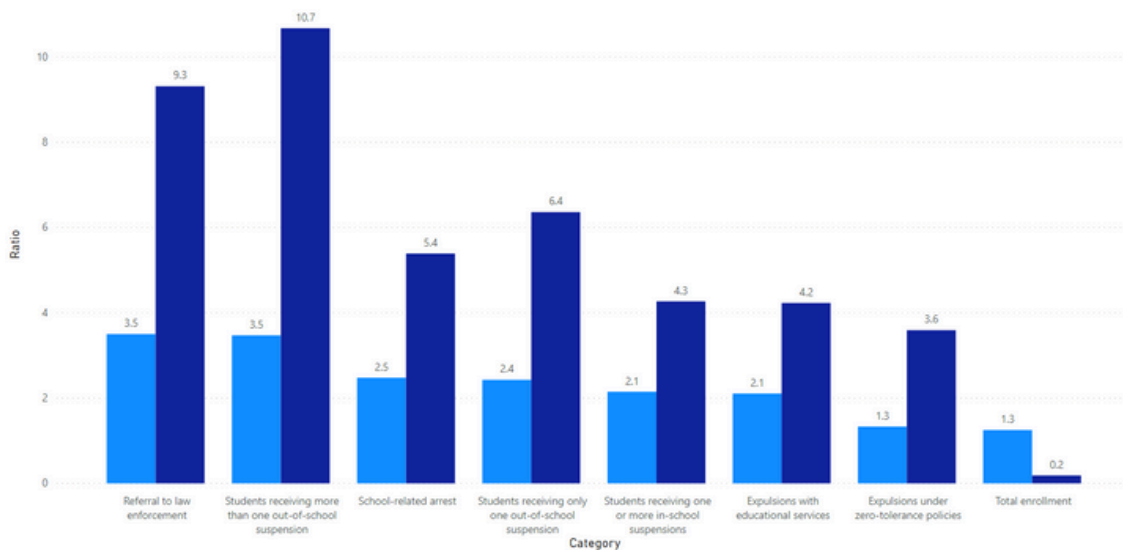
3.6x

Insight 3:

Black female students are 3.6 times more likely than white female students to be expelled under **zero-tolerance policies**.

Girls Discipline Rate of Hispanic/White and Girls Discipline Rate of Black/White by Category

● Discipline Rate of Hispanic/White ● Discipline Rate of Black/White



Source:
Civil Rights Data Collection
(CRDC) for Region 13 2015-
16 School Year

KEY RECOMMENDATIONS FOR SCHOOL POLICY CHANGES

- Mandate data collection to include a breakdown of campus discipline data by gender for each race.
- Eliminate the **discretionary** removal of children from the classroom.
- Eliminate School Resource Officers (SROs) and divert funding to additional mental health services. If SROs are not defunded, create key performance indicators (KPIs) for on-campus police.
- Eliminate any disciplinary actions in school dress code policies related to **hair style** and **texture**.

KEY RECOMMENDATIONS FOR CITY COUNCIL POLICY CHANGES

- Increase funding for programs that support physical fitness, mental wellness, education, workforce development, and mentorship of Black girls.
- Collect data on youth served by city programs by gender, race, economic status and provide a yearly update on KPIs.
- Eradicate race-based hair discrimination to protect Black city employees.

KEY RECOMMENDATIONS FOR STATE POLICY CHANGES

- Require the Texas Education Agency (TEA) to expand the data currently collected to include a breakdown of race by gender to increase transparency on the academic performance of Texas schools.
- Adopt the CROWN ACT at the state level for Texas.
- Mandate that TEA require all educators to complete professional development courses regarding unconscious bias.

RECOMMENDATIONS FOR SCHOOL POLICY CHANGES

1**MANDATE DATA COLLECTION TO INCLUDE A BREAKDOWN OF CAMPUS DISCIPLINE DATA BY GENDER FOR EACH RACE.**

Reports of school disciplinary actions should be published and made easily and widely available to the public by the start of the next academic year regardless of state and/or federal requirements for such data. The reports should be shared with parents in a timely manner and included as part of the annual demographics report.

2**ELIMINATE TEXAS EDUCATION CODE SEC. 37.002 (OF THE SAFE SCHOOLS ACT OF 1995) AND ALL DISCRETIONARY DISCIPLINE PRACTICES THAT REMOVE CHILDREN FROM THE CLASSROOM.**

The Safe Schools Act of 1995, Sec. 37.002 provides teachers the authority to remove students from the classroom at the teacher's discretion. This use of discretion contributes to Black students being disproportionately removed from the classroom and thus calls for its elimination.

3**ELIMINATE SCHOOL RESOURCE OFFICERS (SROS) AND DIVERT FUNDING TO ADDITIONAL MENTAL HEALTH SERVICES.**

Immediately redirect funds allocated for police within schools, also known as SROs, to provide additional school counselors and other mental health services. Research has not proven that SROs increase the physical safety of students in schools and may, in fact, negatively impact school culture. Black students are disproportionately referred for offenses to SROs. "From 2011-2015, Black students were involved in 40% of the use of force incidents in Texas schools even though they make up only 13% of the total student population in the state. If SROs are not defunded, create key performance indicators (KPIs) for school police. Gauge school resource officer programs on KPIs including but not limited to source of funding, description of responsibilities and law enforcement activities, outcomes related to improvement of student well-being, and record of time spent.

4**ELIMINATE ANY DISCIPLINARY ACTIONS REGARDING SCHOOL DRESS CODE POLICIES RELATED TO HAIR STYLE AND TEXTURE.**

Adopt specific wording in dress code policies that prohibit discrimination against any student for hair style or texture. Use gender-neutral language and avoid subjective terminology such as "distracting" or "provocative." Report dress code enforcement and consequences with other disciplinary actions.

Sources

5. Finn, P., & McDevitt, J., National Assessment of School Resource Officer Programs Final Project Report (No. 209273), 2005
6. "Who is impacted by school policing? | Toolkit: Make my school safe", Texas Appleseed, 2020

RECOMMENDATIONS FOR CITY COUNCIL POLICY CHANGES

1

INCREASE FUNDING FOR PROGRAMS THAT SUPPORT PHYSICAL FITNESS, MENTAL WELLNESS, EDUCATION, WORKFORCE DEVELOPMENT, AND MENTORSHIP OF BLACK GIRLS.

A report by [Fight Crime: Invest in Kids](#) finds a **70% drop** in juvenile crime corresponding with the rise in availability of after-school opportunities across the country.⁷ We recommend an increased investment in after-school programs along with KPIs to track outcomes of these programs.

2

COLLECT DATA ON YOUTH BEING SERVED BY CITY PROGRAMS BY GENDER, RACE, ECONOMIC STATUS, AND PROVIDE A YEARLY UPDATE ON KPIS.

Public school districts and city-funded youth programs should have a database maintaining records of KPIs through the last school year. This data should include a description of the youth-serving city programs as well as the success/failure rate of said programs, along with the gender, race, and economic status of the participants. The city must mandate a yearly protocol for the KPIs to be submitted at the end of the school year and approved within the two-month time span of summer break, prior to fall semester start,

3

ERADICATE RACE-BASED HAIR DISCRIMINATION TO PROTECT BLACK CITY EMPLOYEES.

We recommend introducing legislation to add legal protections for natural hair types and hairstyles to the city's non-discrimination laws. Since 2016, studies have provided research support for the notion that there is an explicit preference toward smooth hairstyles, white hair, versus textured hairstyles, Black hair.^{8,9} In an Implicit Association Test (IAT) among men and women, white participants show more robust implicit bias levels against textured hair than Black participants.¹⁰ White women in the natural hair community are three times more likely to be neutral than white women in the national example, but the majority still show a preference for smooth hair.

Sources

7. "Afterschool in Texas", Afterschool Alliance, 2020

8. Rudman, L. A., & McLean, M. C, The role of appearance stigma in implicit racial in-group bias, 2016

9. Woolford, et al. No sweat: African American adolescent girls' opinions of hairstyle choices and physical activity, 2016

10. Johnson et al., The "Good Hair" Study: Explicit and Implicit Attitudes Toward Black Women's Hair, 2017

RECOMMENDATIONS FOR TEXAS STATE POLICY CHANGES

1

REQUIRE THE TEXAS EDUCATION AGENCY (TEA) TO EXPAND THE DATA CURRENTLY COLLECTED TO INCLUDE A BREAKDOWN OF RACE BY GENDER TO INCREASE TRANSPARENCY OF THE ACADEMIC PERFORMANCE OF TEXAS SCHOOLS.

Data consisting of the intersectionality of both gender and race will provide a clearer understanding of academic inequalities and the implications of the power dynamic and oppression faced both within and among groups. The transparency of the data will lead districts to improve their comprehension of their demographic and take a stronger, holistic approach.

2

AS PART OF ANNUAL COMPLIANCE, MANDATE THAT TEA REQUIRES ALL EDUCATORS TO COMPLETE PROFESSIONAL DEVELOPMENT COURSES REGARDING UNCONSCIOUS BIAS, MAKINGS OF HOSTILE CLASS ENVIRONMENTS (SUCH AS MICROAGGRESSIONS), AND CULTURALLY RESPONSIVE TEACHING (CRT) AT A MINIMUM OF 4 TIMES PER ACADEMIC YEAR.

Awareness of bias informs educators when solving educational issues and CRT is a teaching method that addresses the cognitive instruction of students ^{11,12} rather than the traditional format, which focuses on the norms of the dominant culture. Unconscious bias training can increase cognizance surrounding diversity and inclusion. However, professional development is most effective when integrated into everyday practice. Studies show ¹³ that up to 60% of individuals will forget what is learned within 24 hours if it is not reinforced.

3

ADOPT THE CROWN ACT AT THE STATE LEVEL FOR TEXAS.

MEASURE advocates for the adoption of legal wording similar to that of the California CROWN Act that prohibits discrimination against hair texture or style. Title VII of the Civil Rights Act of 1964 protects against discrimination due to race and thus covers natural representation of hair. The state should recognize that Afros, braids, locks, and twists are natural representations of Black hair. This legal wording protects Black women and men from discrimination in their workplace for having natural hair that may be seen as “unprofessional” despite the understanding that Eurocentric features form the foundation of perceived professionalism.

Sources

11. Martinez, K., & Nash, S., “New Tech Network: Investigating our practice to inform our identity” [presentation], Dallas, TX, 2019

12. Hammond, Z., & Jackson, Y., Culturally Responsive Teaching and The Brain: Promoting Authentic Engagement and Rigor Among Culturally and Linguistically Diverse Students, 2015

13. Young, F., “If unconscious bias training doesn’t work, what’s the alternative?”, 2020

ABOUT MEASURE

MEASURE, an Austin-based nonprofit, works to empower people impacted by social disparities by providing data and evaluation support to organizations and collaborations led by people of color.

MEASURE believes that when used strategically, data provides a common language upon which community members can meet and increase their knowledge about the causes and work together to create equitable change and increased awareness.

THANK YOU TO OUR SPONSORS

The Innocence Initiative is a community based project aimed at eradicating adultification bias in Central Texas and has been made possible through the generous support from Impact Austin, St. David's Foundation, Greater Mount Zion Church, and various community members.



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