

## **Ticketing Students at School Teaches the Wrong Lesson**

**By State Senator John Whitmire**

It sounds ridiculous on its face: Young children ticketed at school for disrupting class, marking on a wall with pencil, using a cuss word, scuffling on school grounds, and misbehaving on a school bus.

These aren't school-issued "behavior tickets" that send disruptive students to the principal's office. These are Class C misdemeanor tickets issued by real police officers assigned to schools. And, they are sending thousands of Texas students -- some under the age of 10 -- to adult criminal court each school year to face fines of up to \$500, community service, and court costs.

The vast majority of these tickets are written for Disruption of Class or Transportation, Disorderly Conduct, curfew violations (leaving campus without permission), truancy, and fighting where no weapon or serious injury is involved. Over a five-year period, Class C tickets were issued to 1,200 elementary school students in Dallas ISD. Houston ISD's police department wrote 5,763 Class C misdemeanor tickets to students in 2008-09 alone.

Shocking? Commentators on CNN and national Fox News think so. Consider the case of a 12-year-old special needs student in Austin who was ticketed for Disruption of Class for applying perfume after peers told her "she stank." Does it make sense to send this child and others like her to court? Perhaps it is time to send ticketing to "time out" and question our own behavior as disciplinarians.

A major New Jersey newspaper made it very clear what it thought about student ticketing in Texas: "This is not something we should replicate....Schools should be prepping kids for college, not prison."

Despite evidence that Class C misdemeanor ticketing does little to change student behavior, the practice is widespread in our public schools. According to a recent report released by the public interest law center Texas Appleseed, more than 275,000 non-traffic tickets are issued annually to juveniles in Texas. -- many for low-level misbehavior commonly ticketed at school.

Appleseed's research shows that minority and special education students, who are at greatest risk for school dropout, are being ticketed at higher rates for low-level, non-violent offenses. In a recent legislative address, Texas Supreme Court Chief Justice Wallace Jefferson made an important point:

"More than 80 percent of adult prison inmates are school dropouts. Charging kids with criminal offenses for low-level behavioral issues exacerbates the problem." This is a warning worth heeding.

Students should be held accountable for their behavior, but criminalizing misbehavior and issuing Class C misdemeanor tickets at school is not the answer. Why? It is unevenly applied, a waste of limited resources to track and prosecute these cases, and teaches students the wrong lesson.

If ticketing is not outlawed altogether in Texas schools, at a very minimum the Texas Penal Code should be amended this Session to eliminate Disruption of Class and Disruption of Transportation as Class C misdemeanors.

What should replace ticketing? Schools, law enforcement and the courts need to be part of the finding the solution, whether it be encouraging campuses to use positive behavioral support programs (shown to reduce disciplinary problems), training school police officers in de-escalation techniques and child behavior, or moving toward peer mediation and school-based alternatives.

Whatever the approach, the goal should be *restoring responsibility for student discipline to the school* -- in all but the most severe cases. How we discipline should teach students when, where and how to take responsibility. It can be the most important lesson schools teach.

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