

**THE UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF CIVIL RIGHTS AND  
THE UNITED STATES DEPARTMENT OF JUSTICE**

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H.F. AND P.P., ON BEHALF OF THEMSELVES, AND ALL SIMILARLY SITUATED  
STUDENTS,

Complainants,

v.

PINELLAS COUNTY SCHOOLS AND THE SCHOOL BOARD OF PINELLAS COUNTY,  
FLORIDA,

Respondents.

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**ADMINISTRATIVE COMPLAINT UNDER  
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964,  
TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990, AND SECTION  
504 OF THE REHABILITATION ACT OF 1973**

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*“[The SROs] never use pepper spray on white students. They never arrest white students for fighting.”*

- P.P. on August 25, 2016

## **I. Preliminary Statement**

This is an administrative civil rights complaint filed on behalf of students with disabilities and black students. Due to their race and disability, students have been disproportionately subjected to arrests and restraint in Pinellas County Schools (“PCS”).<sup>1</sup> PCS and the Pinellas County School Board<sup>2</sup> (“PCSB”) discriminate against students with disabilities under Title II of the Americans with Disabilities Act (“ADA”) and section 504 of the Rehabilitation Act (“Section 504”), and against black students under Title VI of the Civil Rights Act of 1964 (“Title IV”).<sup>3</sup> While blacks make up only 19% of PCS’s students, they are subjected to 59% of all school arrests, and are nearly four times more likely to be arrested than white students.<sup>4</sup> Students with disabilities are nearly three times more likely to be referred to law enforcement than students without disabilities.<sup>5</sup>

Complainants P.P. and H.F.<sup>6</sup> were honor roll students who were arrested on [REDACTED] 2016, after defending a female student who was attacked by a male student in the school cafeteria. Both P.P. and H.F. were arrested, and a School Resource Officer (“SRO”) used the chemical weapon

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<sup>1</sup> Pinellas County Schools is the School District of Pinellas County, Florida.

<sup>2</sup> Pinellas County School Board is the School Board of Pinellas County, Florida.

<sup>3</sup> 29 U.S.C. §§ 701 *et seq.*; 42 U.S.C. §§ 12101 *et seq.*; 42 U.S.C. § 2000d.

<sup>4</sup> Florida Department of Education, *PK-20 Education Information Portal*, <https://edstats.fldoe.org/SASPortal/main.do> (last visited Aug. 29, 2016); *See also* Florida Department of Juvenile Justice *Delinquency in Schools FY 14-15, Interactive Map*, <http://www.djj.state.fl.us/research/reports/research-reports/delinquency-in-schools/school-delinquency-profile> (last visited Aug. 22, 2016). For the purpose of this Complaint, all data obtained from this website will be called “DJJ Data.” All datasets from this website may be downloaded using the “Download” button at the bottom right of the screen.

<sup>5</sup> Department of Education, Civil Rights Data Collection (CRDC), *Discipline Report for Pinellas County, Florida*, , <http://ocrdata.ed.gov/Page?t=d&eid=31638&syk=6&pid=2001> (last visited Aug. 29, 2016). This data is from the 2011-2012 school year. Due to errors in Florida’s 2013-2014 CRDC data, the 2011-2012 data set is the latest available data that disaggregates students based on disability status. Florida Department of Juvenile Justice does not disaggregate school arrest data by disability status. School arrests were not reported by PCS for this data set.

<sup>6</sup> Initials of the students have been changed in this complaint to protect their identities.

and restraint known as “pepper spray” on H.F., temporarily blinding him. Both students were

██ for the misdemeanor act of disorderly conduct.

Charges against them were ultimately dismissed, but both students now have a criminal arrest record because of a school lunchroom fight. P.P. and H.F. file this complaint in their individual capacities and on behalf of all other similarly situated students.

## **II. Statement of Jurisdiction**

PCS receives federal funding and therefore PCS (and PCSB, which operates PCS) are subject to the anti-discrimination provisions of Section 504 and Title VI. PCS is subject to ADA due to its status as a public entity under that statute. The discriminatory acts complained of occurred within 180 days of the filing of this Complaint and are of an ongoing and continuing nature. Both United States Department of Education Office of Civil Rights (“OCR”) and the Department of Justice (“DOJ”) have subject matter jurisdiction over this matter.

## **III. Introduction**

### **A. School Arrests in Pinellas County Schools**

Arrest rates of students in PCS are extremely high. PCS and PCSB have permitted over 3,800 arrests of students in their schools in the five school years from 2010 to 2015.<sup>7</sup> Florida has one of the highest student arrest rates in the country; even so, seventy percent (70%) of Florida school districts arrest students less frequently than PCS and PCSB.<sup>8</sup>

Most of the arrests at PCS are for minor misconduct. Florida Department of Juvenile Justice data reveals that in the 2014-15 school year, 68% of PCS arrests were for misdemeanors.<sup>9</sup> Of all offenses for which students were arrested, disorderly conduct was by far the most common

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<sup>7</sup> See DJJ Data, *supra* note 4, 5 Year Trend.

U.S. Department of Education, Civil Rights Data Collection (CRDC), *cited with approval in*, Chris Zubak-Skees and Ben Wieder, A State-by-State Look at Students Referred to Law Enforcement, The Ctr. for Public Integrity (Apr. 10, 2015, 5:00 AM, updated Oct. 29, 2015, 10:19 AM), <https://www.publicintegrity.org/2015/04/10/17074/state-state-look-students-referred-law-enforcement>.

<sup>9</sup> See DJJ Data, *supra* note 4, *Interactive Map*. There were 599 total school arrests in PCS (192 felonies and 407 misdemeanors).

charge (Exhibit 1). In fact, 1.4% of all youth arrests in the community were for disorderly conduct while 22% of all school arrests were for the same offense.<sup>10</sup> *Id.*; (Exhibit 2). The moment a student enters a Pinellas County School, their likelihood of being arrested for disorderly conduct multiplies by sixteen. *Id.* This is why a total of 939 students have been arrested in PCS for disorderly conduct in the five school years from 2010 to 2015. *Id.* Of the thousands of schools reporting arrest data to the Florida Department of Juvenile Justice, three PCS schools are in the top fifteen, and five are in the top forty (Exhibit 3). School arrests in PCS have decreased over the past five years, but at a rate lower than the state average (Exhibit 4). PCS and PCSB arrested students at a higher rate than 72% of Florida school districts in the 2014-2015 school year. *Id.* Pinellas students are more than 20 times as likely to be arrested for disorderly conduct as students in the Miami-Dade County Public Schools, which has schools reporting the highest numbers of fights in the state.<sup>11</sup>

In addition to maintaining their own Pinellas County Schools Police Department (“PCSPD”), the PCSB contracts with other law enforcement agencies to station SROs in schools.<sup>12</sup> In June 2014, PCSB entered into an interagency agreement with thirteen law enforcement agencies “to encourage schools to use alternatives to expulsion or referral to law enforcement agencies.”<sup>13</sup> The agreement primarily provides guidelines and encouragement, but does not mandate limits on student arrests. Despite this agreement, PCS continues to arrest large numbers of students from school, including disproportionate arrests of black students and of students with disabilities for

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<sup>10</sup> There were 51 Disorderly Conduct community arrests out of 3,581 total community arrests. There were 129 Disorderly Conduct school related arrests out of 599 total school related arrests.

<sup>11</sup> See DJJ Data. In Miami-Dade, 20 students out of 356,964 were arrested for disorderly conduct (1 per 17,848). In Pinellas 129 students out of 103,774 were arrested for disorderly conduct (1 per 804). See also <http://www.miamiherald.com/news/top-eight-schools-in-florida-with-most-fights-are-all-in-miami-dade-7597069>

<sup>12</sup> See Pinellas County Schools, *Pinellas County School District Law Enforcement Services*, <http://www.pcsb.org/Page/3970> (last visited Aug. 1, 2016); Pinellas County Schools, *Pinellas County Schools Police Department*, <http://www.pcsb.org/Page/2648> (last visited Aug. 1, 2016).

<sup>13</sup> See The School Board of Pinellas, et al., *Collaborative Interagency Agreement Regarding Student Misconduct, Student Interviews and Student Arrests by Law Enforcement Officers*, [http://pcsb.schoolwires.net/cms/lib8/FL01903687/Centricity/domain/608/2013-14workshopdocs/Collab\\_Agt\\_Draft\\_040914.pdf](http://pcsb.schoolwires.net/cms/lib8/FL01903687/Centricity/domain/608/2013-14workshopdocs/Collab_Agt_Draft_040914.pdf) (last visited Aug. 29, 2016).

minor infractions.<sup>14</sup> The likelihood of some students being arrested for minor infractions like disorderly conduct actually increased after PCS's interagency agreement went into effect.<sup>15</sup>

## **B. School Arrests at R.L. Sanders**

The Complainants were enrolled in the “exceptional education center” of Richard L. Sanders School (“R.L. Sanders”) at the time of the incident.<sup>16</sup> R.L. Sanders was originally built in 1958 as a segregated facility to serve “Trainable Mentally Handicapped” students.<sup>17</sup> In 1980, this segregated school became a center for severely emotionally disturbed students. *Id.* In 2013, the school went through another transition and now segregates Emotionally/Behavioral Disturbed (“EBD”) students in grades K-12. *Id.* During the 2015-16 school year, R.L Sanders enrolled 100 EBD students, who were 32% white, 57% black, 7% Hispanic, and 4% multiracial students.<sup>18</sup>

R.L. Sanders touts its various therapeutic services for students and promises “a caring, supportive staff and administration to help our students reach their goals.”<sup>19</sup>

SROs at R.L. Sanders are officers from PCSPD.<sup>20</sup>

School-based arrest rates at R.L. Sanders are extraordinarily high. In 2014-15, **R.L. Sanders had the eighth highest absolute number of school arrests of any school in Florida when only 107 students were enrolled at the school.**<sup>21</sup> A year after the implementation of the interagency

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<sup>14</sup> See DJJ Data, *supra* note.4, *County, Interactive Map*.

<sup>15</sup> *Id.*

<sup>16</sup> See K-20 Education Code, Title XLVIII § 1003.57(1)(a)1.a (2016) (defining “exceptional student education center” as “a separate public school to which nondisabled peers do not have access”); *see also* Florida Department of Education, *A Parent's Introduction to Exceptional Student Education in Florida*, <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070085-eseparent.pdf> (last visited Aug. 29, 2016) (“In Florida, children in public schools who have special learning needs because of a disability are called exceptional students”).

<sup>17</sup> See International Registry for Accreditation, *Institution Summary for Richard L. Sanders Exceptional Education Center*, (Dec. 19, 2014), <http://www.advanced.org/oasis2/u/par/accreditation/summary?institutionId=58172>.

<sup>18</sup> See Florida Department of Education, *PK-20 Education Information Portal*, <https://edstats.fldoe.org/SASPortal/main.do> (last visited Aug. 22, 2016).

<sup>19</sup> See R.L. Sanders Website, <http://www.pcsb.org/sanders> (last visited Aug. 29, 2016).

<sup>20</sup> See *supra* note 12.

<sup>21</sup> See DJJ Data, *supra* note 4, *County, Interactive Map*.

agreement to reduce arrests in PCS, R.L. Sanders still allowed 42 arrests of its students. *Id.* More children were arrested in this one school in the 2014-2015 school year than in 28 out of Florida's 67 school districts.<sup>22</sup> Some school districts had fewer arrests than R.L. Sanders despite having more than 20,000 students. *Id.* **The school arrest rate at R.L. Sanders is a staggering 58 times higher than Florida's average school arrest rate** (6.8 arrests per 1,000 vs. 393 arrests per 1,000). *Id.*

Even worse, almost all students arrested at R.L. Sanders are black students, and students with disabilities. **Ninety-three percent (93%) of students arrested at R.L. Sanders were black and every single student arrested (100%) had a disability.** *Id.*

The overreliance on arrest at R.L. Sanders in response to misbehavior indicates that school is not a safe or a therapeutic environment. It also indicates a lack of competent staffing by properly trained behavioral health professionals to adequately address the needs of a student body that purports to be all children with EBD.

### **C. P.P. and H.F.'s Arrest**

P.P. is black student who entered R.L. Sanders as a [REDACTED] grader in [REDACTED]. P.P. was an [REDACTED] year old honor roll student with a [REDACTED] GPA at R.L. Sanders when he was arrested. P.P. has been diagnosed with [REDACTED] Disorder and [REDACTED] Disorder. He was described as "quiet" and a "hard worker" in his Individualized Education Program ("IEP"). Staff also stated that P.P. faces a challenge in controlling his anger.

H.F. is a Latino student who enrolled at R.L. Sanders in the [REDACTED] grade in [REDACTED]. H.F. was [REDACTED] year old honor roll student [REDACTED] in [REDACTED] when he was arrested at R.L. Sanders. H.F. has been diagnosed with [REDACTED] Disorder, [REDACTED], and [REDACTED] Disorder.

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<sup>22</sup> See DJJ Data, *supra* note 4, County; see also Composite Exhibit 9.

Both students have IEPs and are ensured protections set forth in the Individuals with Disabilities Education Act.

#### **D. Facts Relating to Incident**

On [REDACTED] 2016, an SRO from R.L. Sanders subjected H.F. and P.P. to arrest, and subjected H.F. to restraint using pepper spray. (Exhibit 5)<sup>23</sup> The incident occurred in R.L. Sanders' school cafeteria.

The incident in this case began as a food fight between a male and female student.<sup>24</sup> There were very few school staff in the cafeteria at the time, and they failed to stop the food fight. The food fight escalated into a physical fight between the male and female students. During the fight, the male student pushed a teacher to the ground. After this happened, [REDACTED] attempted to break up the fight and protect his female classmate. He felt that this was necessary because the school staff was not responding adequately to the fight. H.F. says that when he tried to break up the fight, the male student hit him. After that, H.F. said that he felt like he "blacked out." H.F. says he and the male student scuffled on the ground, and H.F. did not hear the SRO arrive or say anything to him. The SRO then lay on top of H.F., turned H.F.'s face to the side, and pepper sprayed his eyes. The SRO also pepper sprayed the other student. H.F. has expressed that he feels R.L. Sanders is "preparing the students for jail."<sup>25</sup>

P.P. said that he was only briefly involved in the altercation. P.P. was a few feet away and trying to help end the altercation when the SRO arrived on the scene. After the SRO used his

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<sup>23</sup> It is worth noting that this is only the latest of a long line of inappropriate disciplinary responses to allegations of minor misconduct faced by these students. P.P. was given a three-day suspension when he was in the first grade for "annoying classmates" and "lack of cooperation." (Exhibit 6). H.F. was suspended for two days in the second grade with no details. *Id.* The vague and wide-ranging categories for student discipline and arrests in PCS contributed to students like P.P. and H.F. being deprived of their education.

<sup>24</sup> The SRO's account of the incident can be found in the attached arrest affidavits and documents.

<sup>25</sup> In addition to the arrests and the pepper spray, the school conducts sweeps using police canines to sniff for drugs, and all students are required to check their jackets upon entry, despite the fact that the school is kept at a very cold temperature.



chemical weapon on H.F., P.P. moved approximately ten feet away. This was P.P.'s second time moving to avoid pepper spray being used by SROs to end a fight while at R.L. Sanders.

Minutes after he had disengaged from the fight, while P.P. stood calmly with other students, the SRO approached, grabbed his arms, and handcuffed him. This is the second time that P.P. has been arrested by the same SRO. The same SRO previously arrested him at his previous school when he was in [REDACTED] grade for fighting. As in this case, the charges in that case were ultimately dismissed by prosecutors. At the time, the SRO humiliated P.P. by holding him in handcuffs outside his middle school until dismissal. The SRO told P.P. that he wanted to make sure his peers could see that he was being arrested.

Both P.P. and H.F. were arrested and charged with Disorderly Conduct following the R.L. Sanders incident. H.F. was not provided decontamination treatment following being pepper sprayed by the SRO.

The prosecutors ultimately dismissed all charges against both of them.

Nevertheless, both P.P. and H.F. now have [REDACTED] criminal arrest records that will be accessible on police databases, and must be disclosed on job applications, license applications, and in other contexts, all due to a fight in the school cafeteria to protect their female friend.

### **III. Claims**

#### **A. Pinellas County Schools' Policies and Practices Have a Disparate and Discriminatory Impact on Black Students.**

Title VI prohibits programs receiving federal financial assistance from engaging in discriminatory practices.<sup>26</sup> The U.S. Department of Education and Department of Justice's regulations under Title VI prohibit recipient practices that have the effect of discriminating on the basis of race, color, and national origin.<sup>27</sup> These regulations prohibit public schools from taking

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<sup>26</sup> 42 U.S.C. § 2000d.

<sup>27</sup> 34 C.F.R. § 100.3(b)(2).

certain actions to the extent that those actions have a disparate impact on groups protected by the statute.<sup>28</sup> The regulations state that in providing services, school districts may not directly or through contractual or arrangements use “criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race . . . or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respect individuals of a particular race.”<sup>29</sup>

PCS and PCSB employ or contract for SROs, who arrest black students at extraordinary rates.

Fifty-nine percent (59%) of students arrested at PCS during the 2014-2015 school year were black students despite the fact that black students make up less than 19% of the student population.<sup>30</sup> Blacks students are nearly four times as likely to be arrested than their white counterparts. *Id.*

Every single student arrested was black at ten different Pinellas County schools. *Id.* In nineteen other schools, at least 80% of student arrests were of black students. *Id.* At R.L. Sanders, black students account for 93% of arrests, with black male students like P.P. comprising 86% of the school’s arrests. *Id.*

As the table below demonstrates, the overwhelming majority of arrests are for misdemeanors and minor infractions. Disorderly conduct is by far the most common.

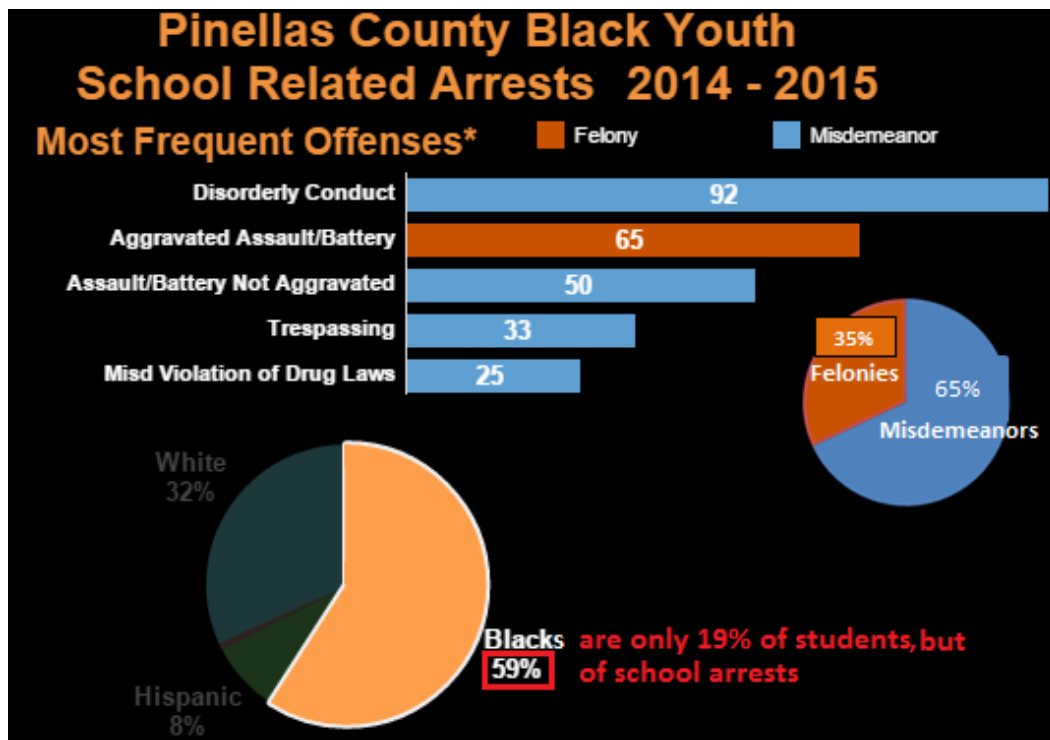
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<sup>28</sup> See *Elston v. Talladega County Board of Education*, 997 F.2d 1394, 1406 (11th Cir. 1993).

<sup>29</sup> 42 U.S.C. § 2000d.

<sup>30</sup> See DJJ Data, *supra* note 4.

**Table 1: Pinellas County Black Youth School Related Arrests  
from 2014-2015 DJJ Data**



Pinellas County has the fourth highest rate of any county in Florida of the disproportionate use of arrest on black children.<sup>31</sup> Black boys make up only 10% of PCS students, but are subjected to 41% of school arrests.<sup>32</sup>

The discriminatory nature of this racial disparity becomes more evident when one considers the grounds for these arrests. Nearly half of disorderly conduct arrests in the district are of black boys (Exhibit 7). This offense is a catch-all charge that could describe almost any common student misbehavior.<sup>33</sup> This includes using profanity, talking back to teachers, fighting

<sup>31</sup> Department of Juvenile Justice, *Disproportionate Minority Contact/Racial Ethnic Disparity Benchmark Report FY 2014-15*, Overview, <http://www.djj.state.fl.us/research/reports/research-reports/DMCReports/dmc-red-profile-fy-2014-15> (last visited Aug. 23, 2016).

<sup>32</sup> See DJJ Data, *supra* note 4.

<sup>33</sup> See Fla. Stat. § 877.03. (defining disorderly conduct as “such acts as are of a nature to corrupt the public morals, or outrage the sense of public decency, or affect the peace and quiet of persons who may witness them, or engages in brawling or fighting, or engages in such conduct as to constitute a breach of the peace or disorderly conduct”).

with other students, and throwing food. The number of black boys arrested for disorderly conduct has increased since PCS's 2014 interagency agreement to reduce arrests.<sup>34</sup>

In the case of P.P., it is not clear that the police officer was even permitted to arrest the student under Florida law. In Florida, an officer can only arrest for a misdemeanor when it occurs in an officer's presence.<sup>35</sup> It is not clear that any misdemeanor by P.P. occurred in the officer's presence. P.P. was barely mentioned as a participant in the SRO's reports, but still ended up being arrested.

It is obvious to P.P. that black students are treated differently at R.L. Sanders. P.P. has stated, the SROs "never use pepper spray on white students. They never arrest white students for fighting. A white boy was in the fight too, but they didn't arrest him. These two white boys had three fights in one year at Sanders, and nothing happened [to them]."

This type of discriminatory behavior leads to black students comprising 93% of arrests at R.L. Sanders. The police reports also demonstrate that the officer failed to follow the guidance contained in the Interagency Agreement, and demonstrates that the current agreement and policies are insufficient to address school arrests. For P.P., there was no consideration of his personal circumstances, the fact that he was acting in defense of another student, whether arrest was in his best interests, P.P.'s minor involvement, or consideration of other factors.

Ultimately, PCS and PCSB are responsible for all arrests by SROs in their schools because they employ SROs or contract for SRO "services" and SROs are bound under state law by school policies and must be guided by school administrators. Florida state statutes require SROs to follow school board policies.<sup>36</sup> Also, as OCR and DOJ outlined in the Dear Colleague Letter, "[s]chools

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<sup>34</sup> See DJJ Data, *supra* note 4.

<sup>35</sup> See Fla. Stat. § 901.15(1).

<sup>36</sup> See Fla. Stat. § 1006.12 ("School resource officers shall abide by district school board policies"). Furthermore, the Second District Court of Appeal, a state appellate court whose decisions are binding within Pinellas County, has held that school resource officers must also "consult and coordinate their activities through the school principal." *State v. N.G.B.*, 806 So. 2d 567, 568 (Fla. 2d DCA 2002).

cannot divest themselves of responsibility for the nondiscriminatory administration of school safety measures and student discipline by relying on school resource officers, school district police officers . . . To the contrary, the Departments may hold schools accountable for discriminatory actions taken by such parties.”<sup>37</sup> PCS and PCSB cannot hide behind the SROs because they have the power to limit SRO behavior, and they have not.

These policies and practices—of placing police on school campuses and allowing them to arrest black students at extraordinary rates —constitutes discrimination, not just by the SROs, but also by PCS and PCSB.

These policies and practices have significant consequences for students, not just at school, but for the rest of their lives. Under state law, Florida schools are intended to provide students with a high quality education that is “student-centered in every facet.”<sup>38</sup> Subjecting black students to arrest for common misbehavior substantially impairs accomplishment of these objectives. An arrest is the opposite of student centered treatment, causing a host of negative consequences for students including negatively impacting on their academic achievement in school, college admissions, future employability, ability to obtain loans, rental housing, or licenses or certifications.<sup>39</sup> The purpose of school is to educate a student, improve their employment possibilities and increase their likelihood of future success. Arresting students does precisely the opposite.

**B. Pinellas County Schools’ Policies and Practices Have a Disparate and Discriminatory Impact on Students with Disabilities**

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<sup>37</sup> See U.S. Dep’t of Justice and U.S. Dep’t of Educ., *Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline* 17-18 (Jan. 8, 2014), available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html> (last visited Aug. 26, 2016) (“Dear Colleague Letter”).

<sup>38</sup> See Fla. Stat. § 1000.02(2)(b),(c).

<sup>39</sup> See Gary Fields and John R. Emshwiller, *As Arrest Records Rise, Americans Find Consequences Can Last a Lifetime*, Wall Street Journal, available at: <http://www.wsj.com/articles/as-arrest-records-rise-americans-find-consequences-can-last-a-lifetime-1408415402>.

Public institutions may not discriminate against people with disabilities<sup>40</sup> and Title II of the ADA<sup>41</sup> prohibits “public entities” from discriminating against individuals with disabilities. Public schools meet the definition of a public entity under the ADA.<sup>42</sup> Under Section 504 and the ADA, “individuals with disabilities” is defined to include any individual with a condition that “affects [or substantially limits] a major life activity.”<sup>43</sup> Therefore, students with disabilities under Section 504 or the IDEA would all fall into the definition of “handicapped persons” under Section 504 and Title II.

Section 504 regulations are substantially the same as those of Title VI, stating that schools districts may not may not, directly or through contractual arrangements, use methods of administration that “have the effect of subjecting qualified handicapped persons to discrimination on the basis of handicap, [or] (ii) that have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the recipient’s program or activity with respect to handicapped persons.”<sup>44</sup>

Federal law also prohibits the involuntary segregation of persons with disabilities,<sup>45</sup> and requires that recipients of federal funding ensure that academic and non-academic services are provided “with persons who are not handicapped to the maximum extent appropriate to the needs of the handicapped person.”<sup>46</sup> The U.S. Department of Education has a set of regulations based on Section 504 to ensure schools provide services and support to guarantee that students with disabilities can attend school and have access to the regular education curriculum to the

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<sup>40</sup> See 29 U.S.C. § 794.

<sup>41</sup> See 42 U.S.C. §§ 12101-12103, 12131-12165, 12201-12213.

<sup>42</sup> See *Schwarz v. The Villages Charter Sch., Inc.*, No. 5:12-CV-177-OC-34PRL, 2016 WL 787934, at \*30 (M.D. Fla. Feb. 29, 2016).

<sup>43</sup> See 34 C.F.R. § 104.3(1)(1).

<sup>44</sup> 34 C.F.R. § 104.4 (emphasis added). The regulations of Title II of the ADA are identical. See 28 C.F.R. §§ 35.130(b)(3)(i)-(iii).

<sup>45</sup> *Id.* § 104.4(b)(3) (“Despite the existence of separate or different aid, benefits, or services provided in accordance with this part, a recipient may not deny a qualified handicapped person the opportunity to participate in such aid, benefits, or services that are not separate or different”).

<sup>46</sup> *Id.* § 104.34(a); see also *id.* § 104.34(b).

maximum extent possible.<sup>47</sup>

Under the ADA, a disability does not diminish individuals' rights to "enjoy the full inclusion and integration in the . . . educational mainstream of American society."<sup>48</sup> Reasonable changes in policies, practices, and procedures must be made to avoid discrimination on the basis of disability. Title II of the ADA imposes an affirmative obligation on public entities and states that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subject to discrimination by any such entity."

Title II regulations require public entities to "administer services, programs, and activities in the most integrated setting appropriate to the needs of [students with disabilities]."<sup>49</sup> "The most integrated setting" means a setting that "enables individuals with disabilities to interact with nondisabled persons to the fullest extent possible . . . ." *Id.*

**i. Pinellas County Schools Disproportionately Arrests Students with Disabilities**

Both Complainants are students with disabilities, which significantly increases their likelihood of being arrested at PCS. Students with disabilities in PCS are nearly three times as likely to be arrested as non-disabled students.<sup>50</sup> Both complainants attend R.L. Sanders, the school with the highest arrest rate in the district. R.L. Sanders is a segregated school that only serves students with disabilities.

The arrest rate at R.L. Sanders is fifty-eight times higher than the state average, and thirty-five times higher than the arrest rate in PCS (6.8 arrests per 1,000 and 11 arrests per 1,000 vs. 393

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<sup>47</sup> 29 U.S.C. §§ 701-718b.; 42 U.S.C. §§ 12101-12103, 12131-12165, 12201-12213.

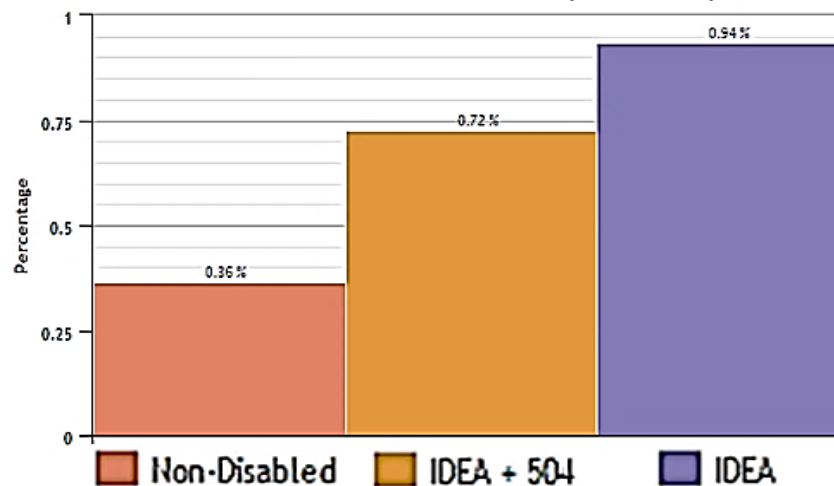
<sup>48</sup> 29 U.S.C. § 701(a)(3)(F).

<sup>49</sup> 28 C.F.R. § 35.130(d).

<sup>50</sup> See Department of Education, Civil Rights Data Collection (CRDC), *Discipline Report for Pinellas County, Florida*, , <http://ocrdata.ed.gov/Page?t=d&eid=31638&syk=6&pid=2001> (last visited Aug. 29, 2016).

arrests per 1,000).<sup>51</sup> The school with the second highest arrest rate in the district, Calvin Hunsinger School, is also a segregated school that only serves students with disabilities.<sup>52</sup> In 2014-2015, Calvin Hunsinger School had 19 arrests despite only serving 91 students. *Id.* This arrest rate is thirty times the state average, and nineteen times the average for the district (208 arrests per 1,000). *Id.* Despite having less than one hundred students, this segregated school for special needs students had more arrests than 17 of Florida's 67 school districts. Furthermore, data from the United States Department of Education Office of Civil Rights, set forth in Table 2 below, demonstrates a pattern of disproportionate referrals to law enforcement of students with disabilities.

**Table 2: Law Enforcement Referrals by Disability Status<sup>53</sup>**



Even assuming for the sake of argument that both P.P. and H.F. were “brawling” in the school lunch room as the police report states, that alone should not have resulted in an arrest.

<sup>51</sup> DJJ Data, *supra* note 4, County, Interactive Map.

<sup>52</sup> DJJ Data, *supra* note 4; *see also* Florida Department of Education, *PK-20 Education Information Portal*, <https://edstats.fldoe.org/SASPortal/main.do> (last visited Aug. 29, 2016).

<sup>53</sup> OCR Data 2011-2012 was used because of the state level error with Florida's 2013-2014 dataset. The 2011-2012 is the latest data set available that disaggregates by students with and without disabilities. The Florida Department of Juvenile Justice does not disaggregate school arrest data by students with disabilities. School arrests were not reported by PCS for this data set.



PCS's and PCSB's own policies limit the consequences for fighting to specific types of school-based discipline.<sup>54</sup> According to these same policies, arrest for misdemeanors such as disorderly conduct should not occur absent extraordinary circumstances.<sup>55</sup> There was nothing extraordinary about P.P. or H.F.'s alleged conduct that would necessitate arrest. This is supported by the fact that the local prosecutor's office did not find that prosecution was warranted. Both cases were dismissed. However, both students still have an arrest record.

PCS's and PCSB's particular disregard of their own policies at schools for students with disabilities demonstrates their discrimination against this group of students. Although discriminatory intent need not be demonstrated to prevail in this administrative complaint, discriminatory intent is evident here. Discriminatory intent may be established by evidence of such factors as "substantial disparate impact," and "procedural and substantive departures from the norms generally followed by the decision-maker."<sup>56</sup>

The astronomical arrest rates at R.L. Sanders and Calvin Hunsinger School, demonstrate that PCS, PCSB, and PCSPD not only violate their own policies, but violate them to the greatest extent, when dealing with very children that PCS and PCSB identify as having the greatest challenges to conforming their behavior.

This is underscored by the arrest records of P.P. and H.F. Nothing in any of the records reflected whether any consideration was given to the impact of these students' disabilities on their

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<sup>54</sup> See *Bylaws and Policies*, Section 5500.08, The School Board of Pinellas County, <http://www.pcsb.org/cms/lib8/FL01903687/Centricity/domain/170/board%20policy%20stuff/District%20Bylaws%20and%20Policies%20Manual%20-%20July%2029%202014%20PDF%20Document.pdf> (last visited Aug. 23, 2016).

<sup>55</sup> *Id.*, section 5500.10.

<sup>56</sup> *Elston v. Talladega County Bd. of Educ.*, 997 F.2d 1394, 1406 (11th Cir. 1993) (citing *Village of Arlington Heights v. Metropolitan Hous. Dev. Corp.*, 97 S.Ct. 555, 563-65 (1977)); see also *Williams v. City of Dothan, Ala.*, 745 F.2d 1406, 1414 (11th Cir. 1984) ("Discriminatory intent may be found "even where the record contains no direct evidence of bad faith, ill will or any evil motive on the part of public officials").

conduct, or whether any of the discipline set forth in the policies was considered prior to saddling these young people with permanent criminal arrest records.

Neither the school nor the SRO investigated the impact of the students' disabilities on whether or not an arrest was an appropriate response to their actions. H.F.'s mother did not have an opportunity to speak to the SRO until her son was already taken to [REDACTED]. At that point, she advised the SRO that H.F. "was having issues due to his medication." Nothing in the record demonstrates SRO or the school gave any consideration to this fact in making the decision to arrest him or send him to [REDACTED]. The record does not reflect any contact with P.P.'s parent or guardian, or any review of his records with regard to whether an arrest was an appropriate response to this incident.

Finally, an additional basis to infer discrimination is the spoliation of evidence of the incident by the school district. H.F.'s mother requested the video of the incident on [REDACTED] [REDACTED] but was told that it was "confidential." The attorney for P.P. and H.F. requested the video of the incident on [REDACTED] and was told that it had been erased. The school district was on notice that the video must be saved based on the fact that it took the extraordinary step of having these students arrested and sent to [REDACTED]. The school district was placed on a notice a second time that the video must be saved because the mother explicitly requested the video. Nevertheless, the district erased the video.

Based on the above, PCS and PCSB have violated Section 504 and the ADA by permitting their SROs to arrest students with disabilities at R.L. Sanders and similar segregated schools at an extraordinary rate. This has created an unlawful disparate impact on students with disabilities.

Furthermore, by allowing such an extraordinary rate of arrests of students with disabilities, PCS and PCSB lower the chances that students subjected to arrest will be able to reintegrate back into a traditional school. Under Florida law, a student applying to a school must disclose "arrests

resulting in charges” and “juvenile justice actions.”<sup>57</sup> The law further states that if a local school board allows the student to enroll, it may place the student in “an appropriate educational program at the direction of the district school board.” *Id.*

By saddling students with a juvenile or adult criminal record for common misbehavior at school, PCS and PCSB increase the likelihood of continued segregation of these students and decrease the likelihood that students subjected to arrest will be permitted to reintegrate into a regular education program, in violation of federal disabilities law.

Furthermore, R.L. Sanders and Calvin Hunsinger Schools are schools that segregate their students away from their neighborhood schools and their typical, non-disabled peers. PCS’s operation and administration of R.L. Sanders and Calvin Hunsinger Schools violates Title II of the ADA by unnecessarily segregating students with disabilities from their typical peers and failing to serve them in the most integrated setting. The harm of unnecessary segregation is compounded by the outrageous arrest rate at both schools. These are not safe or therapeutic environment for students with Emotional/Behavioral Disabilities and likely subject their students to the daily trauma of unnecessary violence and arrests, or witnessing such. Because many students leave R.L. Sanders and other segregated schools with arrest records, students face profound negative impacts on their future, which result directly from PCS’s and PCSB’s actions. For these reasons, the segregated environment of only EBD students at R.L. Sanders is not appropriate.

Finally, it is worth noting that the high arrest rate at R.L. Sanders not only impacts on the arrested students, but all students. It is traumatizing to witness classmates being arrested or pepper sprayed. It also harms the school climate. Ultimately, the he arrest rate and use of restraints render R.L. Sanders and similar schools not only inappropriate for students actually arrested, but for all students at these segregated schools.

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<sup>57</sup> Fla. Stat. § 1006.07(1)(b).

**ii. PCS and PCSB Disproportionately Subjects Students with Disabilities to Restraint**

PCS's website defines the chemical weapon used on H.F. as "ASR – aerosol Subject Restraint. A pressurized chemical spray; e.g., OC spray."<sup>58</sup> As the table below demonstrates, tactics of restraint and seclusion are almost used exclusively on students with disabilities in PCS. Students with Emotional/Behavioral Disabilities (EBD) comprise 59% of the students with disabilities who experienced restraint in Pinellas County during the 2013-2014 school year.<sup>59</sup> This is significantly higher than the state average of 45%, and is one of the top ten rates for Florida school districts (Exhibit 8). Media reports also indicate students with behavioral problems are often subjected to chemical spray restraints.<sup>60</sup> The attached arrest affidavits in Exhibit 9 also demonstrate the frequent use of pepper spray on students for simply talking back to police officers. Pepper spray is also used systematically to break up school fights instead of allowing behavioral support specialists and other trained staff use recognized crisis prevention measures. Some of the students subjected to pepper spray were as young as middle-school age.

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<sup>58</sup> See Pinellas County Schools, *Pinellas County School District Law Enforcement Services, Use of Force* <http://www.pcsb.org/site/default.aspx?PageType=3&ModuleInstanceID=24322&ViewID=7B97F7ED-8E5E-4120-848F-A8B4987D588F&RenderLoc=0&FlexDataID=22449&PageID=12758> (last visited Aug. 25, 2016)

<sup>59</sup> Florida Department of Education, Bureau of Exceptional Education and Student Services, *Restraint Incidents by District*, [http://www.disabilityrightsflorida.org/documents/RS\\_County\\_by\\_County/Aug\\_2013\\_to\\_July\\_2014\\_Detail.pdf](http://www.disabilityrightsflorida.org/documents/RS_County_by_County/Aug_2013_to_July_2014_Detail.pdf) (last visited Aug. 23, 2016).

<sup>60</sup> Blake Powers, *18-Year-Old Florida Student Has 62 Suspensions and 102 Disciplinary Actions*, 98.7 KLUV, <http://kluv.cbslocal.com/2016/04/12/18-year-old-florida-student-has-62-suspensions-and-102-disciplinary-actions/> (April 12, 2016, 1:20 PM)

**Table 3: Pinellas County Schools Use of Restraint and Seclusion<sup>61</sup>**

|                              | <b>Students Without Disabilities</b> | <b>Students With Disabilities</b> | <b>Total</b> | <b>% Students With Disabilities</b> |
|------------------------------|--------------------------------------|-----------------------------------|--------------|-------------------------------------|
| <b>Mechanical Restraints</b> | 6                                    | 17                                | 23           | 74%                                 |
| <b>Physical Restraints</b>   | 6                                    | 735                               | 741          | 99%                                 |
| <b>Seclusion</b>             | 38                                   | 596                               | 634          | 94%                                 |

PCS policies prohibit the use of restraints in a manner that restricts the respiration of a student with a disability.<sup>62</sup> Nevertheless, the chemical restraint used on H.F. causes precisely those types of effects, including: immediate inflammation and swelling of the throat, a reflexive reaction that restricts the size of the airway, and limits the amount of oxygen entering the lungs.<sup>63</sup> Pepper spray also causes the affected individual to cough violently, gasp for air, and experience a gagging sensation. Pepper spray exposure also presents the risk of apnea, cyanosis, and respiratory arrest. Lastly, inhaling pepper spray may also cause acute hypertension, which may increase the risk of heart attack or stroke.

H.F. was pepper sprayed in an immediate reaction to a lunchroom fight. There was no indication that any crisis intervention techniques or measures were taken to address the situation before subjecting H.F. to pepper spray. The SRO did nothing except yell “stop” and “spray,” which H.F. did not hear (Exhibit 5). It is not clear that the SRO or any school staff had received

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<sup>61</sup> Department of Education, Civil Rights Data Collection (CRDC), *Discipline Report for Pinellas County, Florida*, <http://ocrdata.ed.gov/Page?t=d&eid=31638&syk=6&pid=2001> (last visited Aug. 29, 2016). OCR Data 2011-2012 was used because of the state level error with Florida’s 2013-2014 dataset. The 2011-2012 is the latest data set available that disaggregates by students with and without disabilities.

<sup>62</sup> *Bylaws and Policies*, Section 5630.01, The School Board of Pinellas County, <http://www.pcsb.org/cms/lib8/FL01903687/Centricity/domain/170/board%20policy%20stuff/District%20Bylaws%20and%20Policies%20Manual%20-%20July%2029%202014%20PDF%20Document.pdf> (last visited Aug. 23, 2016).

<sup>63</sup> See generally C. Gregory Smith, MD, MPH, and Woodhall Stopford, MD, MSPH, *Health Hazards of Pepper Spray*, *NCMJ* September/October 1999, Volume 60 Number 5, <http://duketox.mc.duke.edu/pepper%20spray.pdf> (last visited Aug. 29, 2016).

training on crisis intervention, as there was no discussion in the documentation of why less extreme measures were not taken by any school staff or the SRO.

Furthermore, H.F. was not provided any decontamination treatment after being subjected to pepper spray, and instead was placed in handcuffs. H.F. felt tortured as his eyes and skin were not flushed, and his clothing was not removed. He was not given an opportunity to leave the area where the chemical had been sprayed.

The use of pepper spray as a means for ending what at most was described as a lunchroom fight was a disproportionate response to the situation. Such an act is traumatizing both to the student subjected to pepper spray, and to those who witness it. It interferes with students' ability to concentrate and learn. After H.F. was subjected to pepper spray, there was little possibility that he or other students who witnessed the incident could focus on learning in school.

The use of restraints such as pepper spray on students in response to a school fight violates Section 504 and the ADA. PSC and PCSB act with discriminatory intent or at the very least deliberate indifference to the use of pepper spray on students with disabilities, and cause a discriminatory impact and a hostile environment for all students with disabilities.

#### **IV. Excessive School Arrests and Restraints are Not Necessary to Meet any Important Educational Goal**

In determining whether facially neutral policies have an unlawful disparate impact, the Office of Civil Rights ("OCR") and Department of Justice ("DOJ") employ a two-pronged inquiry. First, the Departments examine whether policies have "resulted in an adverse impact on students of a particular race as compared with students of other races."<sup>64</sup> The disparate impact of Pinellas

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<sup>64</sup> See U.S. Dep't of Justice and U.S. Dep't of Educ., *Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline* 17-18 (Jan. 8, 2014), available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html> (last visited Aug. 26, 2016) ("Dear Colleague Letter").

County School arrests has been demonstrated through the data, exhibits, and records relating to Complainants in this case.

If an adverse impact exists, the Departments then determine whether the policies are “necessary to meet an important educational goal.” *Id.* Here, PCS’s practice of allowing SROs to arrest students, and use restraints such as pepper spray on them, is not necessary to meet any educational goal.

Reasons commonly cited for the presence of law enforcement officers in schools include maintaining school order, and keeping students safe to promote a positive educational environment in which all students can learn. No research supports that PCS and PCSB’s practices here—arresting students for common misbehavior, and using pepper spray—make schools safer, improve student behavior, or promote a positive learning environment. Quite to the contrary.

Student arrest for common misbehavior is not necessary to any educational goal. The arrest of students in high school has been found to have a highly negative impact on a student’s future.<sup>65</sup>

Nor is the use of pepper spray as a restraint necessary to any educational goal. Crisis prevention experts train on a list of interventions such as, using specific verbal commands to stop a brewing or actual fight (specifically, using the first names of the students involved, followed by commands such as “Stop fighting now”), dispersing any crowd surrounding an altercation, working in teams to separate combatants if necessary, deflecting blows before they land, by learning how to quickly react and hold up a strong arm to stop a student from hitting another

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<sup>65</sup> See Bernburg, J. G., & Krohn, M. D. *Labeling, life chances, and adult crime: The direct and indirect effects of official intervention in adolescence on crime in early adulthood*, *Criminology*, 41, 1287–1318 (2003) (finding that an arrest nearly quadruples the odds of students dropping out of high school).

person, telling the students they have made a good choice when they stopped fighting and thanking them for doing so.<sup>66</sup> The use of pepper spray is not necessary to stop a school fight.

#### **V. Other Disciplinary Responses Are Less Burdensome and Comparably Effective.**

In any event, other discipline policies are less burdensome on students and comparably effective.<sup>67</sup> There are numerous and obvious alternatives to arrest and incarceration, including civil citation, restorative justice, or any of the evidence-based interventions outlined in the Dear Colleague Letter.<sup>68</sup> These can meet the district's educational goals with less of a burden or adverse impact on black students and students with disabilities. Furthermore, as noted above, there are a whole host of crisis prevention techniques that are less burdensome that are effective in stopping school fights.

#### **VI. Request for Relief**

As demonstrated in the Complaint, as well as in the Exhibits 1-10, black students and students with disabilities in PCS are disproportionately subjected to the life-changing, negative effects of school-based arrests. Students with disabilities are also disproportionately subjected to pepper spray, a practice to which no child should be subjected. These policies create a hostile learning environment and deny students the full benefit of public education violation of Title VI, the ADA, and Section 504.

Complainants therefore ask the OCR and DOJ to:

- Investigate the policies and practices in PCS that result in disproportionate arrests and restraint of black students and students with disabilities.
- Compel PCS and the School Board to:
  - Remove all records relating to arrest from H.F.'s and P.P.'s student records.
  - Eliminate SRO involvement in school discipline decisions.

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<sup>66</sup> Ron Schachter, *Squelching School Fights: Added Awareness, Training, and Practice Protect Staff and Students from Violence*, (Apr. 2014). <https://www.districtadministration.com/article/squelching-school-fights> (last visited: Aug. 29, 2016).

<sup>67</sup> See Dear Colleague Letter, *supra* at n. 64.

<sup>68</sup> See Dear Colleague Letter, *supra* at n. 64.



- Require discipline decisions be made by school staff based on educational objectives, in light of the student's circumstances and in consideration of the best interests of the child.
- Revise PCS current school arrest policies and practices as stated above.
- Eliminate the use of pepper spray in school.
- End the practice of arresting students for disorderly conduct and other misdemeanors that reflect minor misconduct (such as simple assault, simple battery, or trespassing) because it is being used as a tool to remove black students and students with disabilities from the class, and push them into the criminal justice system.
- Create non-discretionary criteria to limit other school-based arrests and require that arrests be approved in advance by school officials who have determined that the arrest is in the best interest of the child, necessary to meet an important educational goal, and that the same goal cannot be achieved from any other response to the misconduct.
- Implement alternative evidence-based programs or initiatives to address disproportionality and reduce arrests on all Pinellas County school campuses. Fully implement Restorative Justice at R.L. Sanders and other schools.
- Require the School Board to ensure discipline is applied appropriately and equitably; and monitor, track and publish all police incidents, arrests, and referrals to law enforcement occurring in Pinellas County Schools.
- Require training on bias reduction and adolescent development for all middle and high school staff and all SROs;
- Require CPI or an equivalent training of all middle and high school staff on de-escalation and crisis intervention techniques for all middle and high school staff and all SROs;
- Require training on trauma-informed care for all middle and high school staff and all SROs.
- Develop de-escalation and crisis intervention policies and procedures.
- Require school staff to consistently follow these policy and practices. "Lack of consistency by staff" was identified as a contributing to the rampant fights among students at R.L. Sanders in the in the 2015-16 School-wide Behavior Plan.<sup>69</sup>
- Require accommodations to the behavioral procedures at schools such as R.L. Sanders to be responsive to the population of students served.
- Hire Behavior Management professionals or other staff to respond to disruptive incidents at R.L. Sanders instead of SROs.
- Publish monthly statistics concerning the arrests of students and use of restraints on students by type—including pepper spray-- by race and disability status at each school on the PCS website.
- Require administrators and SROs to document the considerations in their decisions to arrests. Require a statement by the administrator certifying that the arrest is in the best interest of the child, necessary to meet an important educational goal, and an explanation as to why the same goal cannot be achieved from any other response.

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<sup>69</sup> Pinellas County Public Schools, *15/16 School-Wide Behavior Plan for Richard L. Sanders School*, pg. 9 (Aug. 26, 2015). [http://webfiles.pcsb.org/swbp/Richard\\_L\\_Sanders\\_School\\_SWBP.pdf](http://webfiles.pcsb.org/swbp/Richard_L_Sanders_School_SWBP.pdf) (last visited: Aug. 29, 2016).

Respectfully submitted,

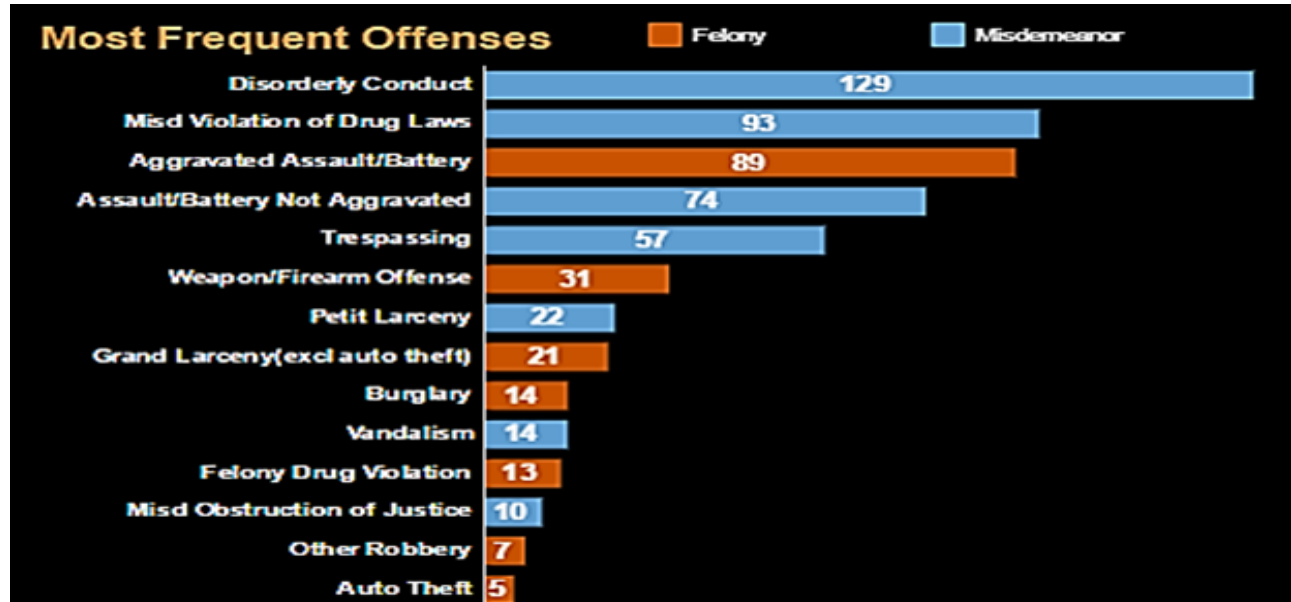
A handwritten signature in black ink, appearing to read "Amir Whitaker". The signature is fluid and cursive, with the first name "Amir" and last name "Whitaker" clearly distinguishable.

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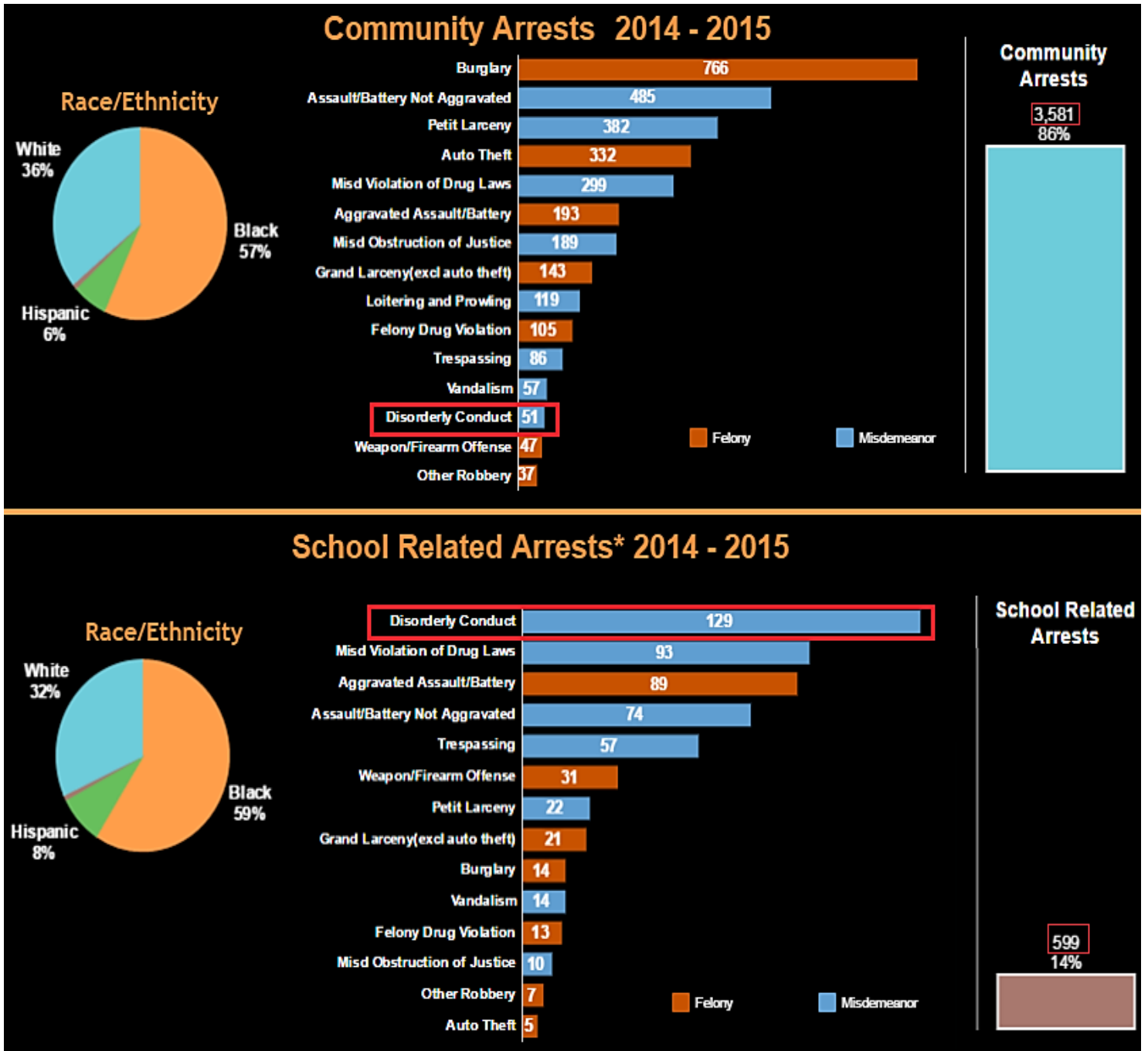
## EXHIBITS

### EXHIBIT 1: Most Frequent Arrests in Pinellas County Schools in 2014-15<sup>1</sup>



<sup>1</sup> See “DJJ Data”, *Interactive Map*

## Exhibit 2: Community vs. School Arrests in Pinellas County<sup>2</sup>



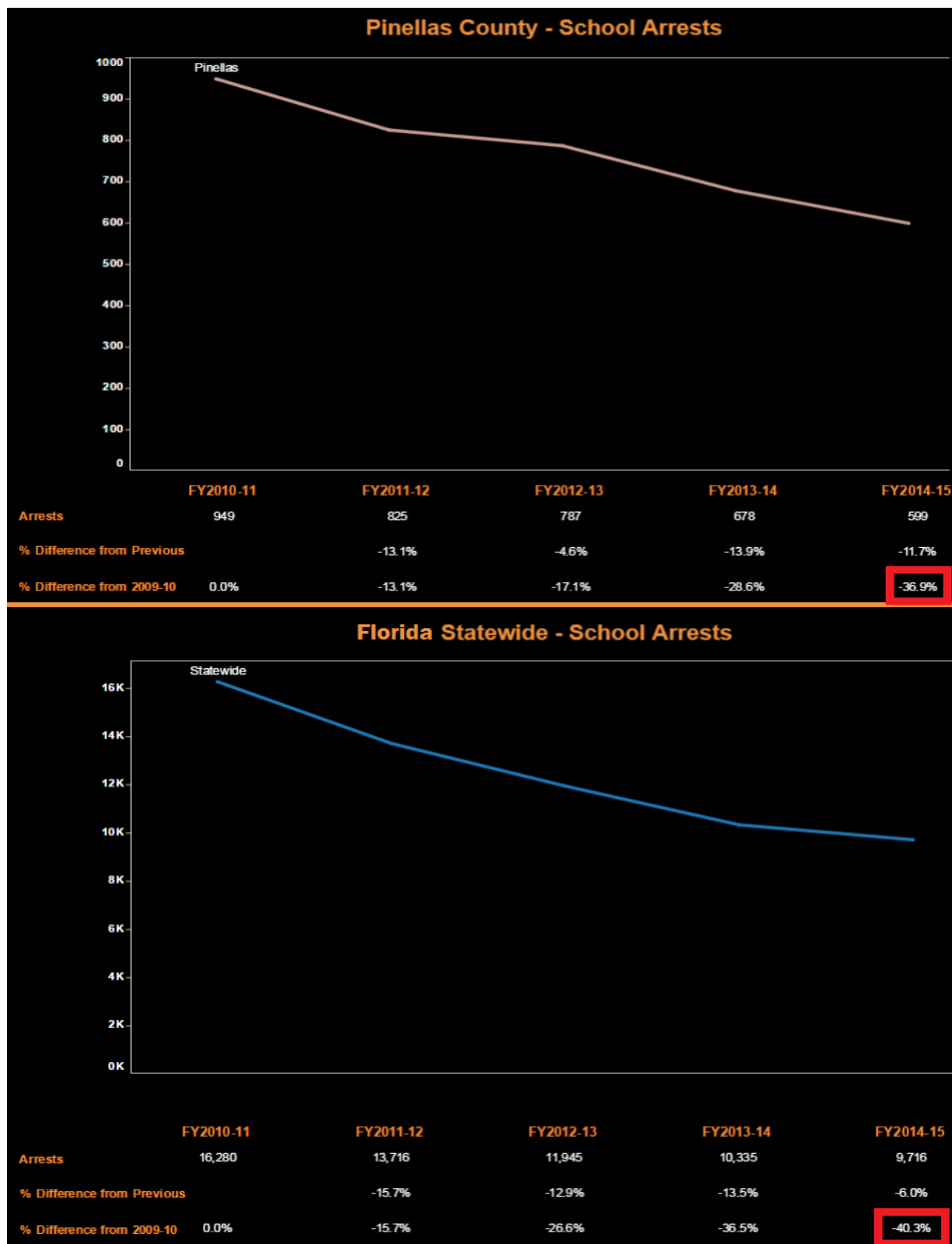
<sup>2</sup> See "DJJ Data", *Interactive Map*

**EXHIBIT 3: Top 40 Florida Schools by Highest Volume of Arrests (2014-2015)<sup>3</sup>**

| Top 40 FL Schools by Highest Volume of Arrests |           |        |             |       |
|--|-----------|--------|-------------|-------|
| School Name                                    | 2014-2015 | Felony | Misdemeanor | Total |
| Dale Cassens Educational Ctr-St Lucie          |           | 11     | 37          | 48    |
| Fitzgerald Middle School Pinellas              |           | 18     | 29          | 47    |
| Journeys Academy-Seminole                      |           | 14     | 33          | 47    |
| Kingsbury Academy-Marion                       |           | 23     | 24          | 47    |
| Gateway School-Orange                          |           | 23     | 21          | 44    |
| Warrington Middle Escambia                     |           | 6      | 37          | 43    |
| Campbell Middle School-Volusia                 |           | 15     | 27          | 42    |
| Richard L. Sanders School Pinellas             |           | 20     | 22          | 42    |
| Donald E. Woods Center-Polk                    |           | 12     | 29          | 41    |
| Deland High-Volusia                            |           | 14     | 25          | 39    |
| Bill Duncan Opportunity School-Polk            |           | 5      | 33          | 38    |
| Meadowbrook Middle School-Orange               |           | 26     | 12          | 38    |
| St. Petersburg High School Pinellas            |           | 10     | 28          | 38    |
| Lake Region High School-Polk                   |           | 6      | 31          | 37    |
| Pine Forest High Escambia                      |           | 19     | 18          | 37    |
| Bartow Middle School-Polk                      |           | 7      | 29          | 36    |
| Carver Middle School-Orange                    |           | 12     | 24          | 36    |
| Hillsborough Senior High Sch.-Hillsborough     |           | 20     | 15          | 35    |
| Dan Mccarty Middle School-St Lucie             |           | 6      | 28          | 34    |
| Forest Grove Middle-St Lucie                   |           | 5      | 29          | 34    |
| Samuel W. Wolfson High School-Duval            |           | 19     | 14          | 33    |
| Deland Middle School-Volusia                   |           | 13     | 19          | 32    |
| Sandalwood High School-Duval                   |           | 16     | 16          | 32    |
| Southeast High-Manatee                         |           | 5      | 27          | 32    |
| Escambia High Escambia                         |           | 9      | 22          | 31    |
| Haines City Senior High School-Polk            |           | 5      | 26          | 31    |
| New Smyrna Beach High-Volusia                  |           | 11     | 20          | 31    |
| Stonewall Jackson Middle Sch-Orange            |           | 9      | 22          | 31    |
| Winter Haven Senior-Polk                       |           | 4      | 27          | 31    |
| Apopka Senior High-Orange                      |           | 14     | 16          | 30    |
| Endeavor-Seminole                              |           | 15     | 15          | 30    |
| Palmetto High-Manatee                          |           | 10     | 20          | 30    |
| Pinellas Secondary School Pinellas             |           | 8      | 22          | 30    |
| Riverview High School 9-12Th-Hillsborough      |           | 9      | 21          | 30    |
| Coconut Creek High School-Broward              |           | 16     | 13          | 29    |
| Ridge Community Senior-Polk                    |           | 7      | 22          | 29    |
| Spruce Creek High-Volusia                      |           | 4      | 25          | 29    |
| East Bay Senior High School-Hillsborough       |           | 10     | 18          | 28    |
| Pinellas Park High School Pinellas             |           | 3      | 25          | 28    |
| Suwannee High Suwannee                         |           | 8      | 20          | 28    |

<sup>3</sup> See “DJJ Data”, *Schools*

## EXHIBIT 4: Pinellas County School Arrest Decrease Less than State Average <sup>4</sup>



<sup>4</sup> See “DJJ Data”, 5 year Trend

# Exhibit 7: Disorderly Conduct Arrests in PCS Over Five School Years by Sex and Race

|         | Female<br>Black | Male<br>Black | Female<br>Hispanic | Male<br>Hispanic | Female<br>White | Male<br>White | Female<br>Other | TOTAL |
|---------|-----------------|---------------|--------------------|------------------|-----------------|---------------|-----------------|-------|
| 2010-11 | 77              | 123           | 2                  | 6                | 17              | 34            |                 | 259   |
| 2011-12 | 74              | 86            | 3                  | 7                | 10              | 26            | 1               | 207   |
| 2012-13 | 69              | 86            | 3                  | 5                | 23              | 17            |                 | 203   |
| 2013-14 | 41              | 57            | 4                  | 7                | 12              | 20            |                 | 141   |
| 2014-15 | 29              | 63            | 7                  | 2                | 9               | 19            |                 | 129   |
| TOTAL   | 290             | 415           | 19                 | 27               | 71              | 116           | 1               | 939   |
| %       | 30.88%          | 44.20%        | 2.02%              | 2.88%            | 7.56%           | 12.35%        | 0.11%           |       |

**EXHIBIT 8: Florida's Top 10: School Districts Highest Percent of Restraint Incident Being Used on EBD Students <sup>5</sup>**

|            |     |
|------------|-----|
| Charlotte  | 81% |
| Dade       | 70% |
| Okaloosa   | 66% |
| Jackson    | 65% |
| Liberty    | 64% |
| Broward    | 62% |
| Collier    | 61% |
| Lake       | 60% |
| Pinellas   | 59% |
| Sarasota   | 58% |
| FL Average | 45% |

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<sup>5</sup> *Restraint Incidents by District: August 1, 2013 through July 31, 2014*

Florida Department of Education, Bureau of Exceptional Education and Student Services

[http://www.disabilityrightsflorida.org/documents/RS\\_County\\_by\\_County/Aug\\_2013\\_to\\_July\\_2014\\_Detail.pdf](http://www.disabilityrightsflorida.org/documents/RS_County_by_County/Aug_2013_to_July_2014_Detail.pdf)



**Composite Exhibit 10:**  
**Pinellas County School Enrollment Data<sup>6</sup>**

|                  |
|------------------|
| 56.7% White      |
| 18.6 % Black     |
| 15.8% Hispanic   |
| 4.2% Two or More |
| 4.2% Asian       |
|                  |

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<sup>6</sup> *PK-12 Education Information Portal*, Florida Department of Education,  
<https://edstats.fldoe.org/SASPortal/main.do> (last visited Aug. 22, 2016).

## 2014-15 School Arrests at R. L. Sanders by Race and Gender<sup>7</sup>

|                 | Number | Percent |
|-----------------|--------|---------|
| Male Black      | 36     | 86%     |
| Female Black    | 3      | 7%      |
| Male White      | 3      | 7%      |
| Female Hispanic | 0      | 0%      |
| Female White    | 0      | 0%      |
| Male Hispanic   | 0      | 0%      |
| Male Other      | 0      | 0%      |
| TOTAL           | 42     |         |

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<sup>7</sup> See “DJJ Data”, *Schools*

## Pinellas County School Arrests By School, Race, and Gender <sup>8</sup>

Color = Schools where 80% or more of students who are arrested are black.

| School              | Female Black | Female Hispanic | Female White | Male Black | Male Hispanic | Male Other | Male White | TOTAL | % Black Students |
|---------------------|--------------|-----------------|--------------|------------|---------------|------------|------------|-------|------------------|
| Fitzgerald Middle   | 10           | 3               | 5            | 8          | 7             | 1          | 13         | 47    | 38.3%            |
| Richard L. Sanders  | 3            |                 |              | 36         |               |            | 3          | 42    | 92.9%            |
| St. Petersburg High | 16           | 1               | 3            | 8          | 3             |            | 7          | 38    | 63.2%            |
| Pinellas Secondary  | 7            | 1               |              | 18         | 1             |            | 3          | 30    | 83.3%            |
| Pinellas Park High  | 2            | 1               | 3            | 9          | 3             | 1          | 9          | 28    | 39.3%            |
| Boca Ciega High     | 4            |                 |              | 18         |               |            | 4          | 26    | 84.6%            |
| Lakewood High       | 6            | 1               |              | 14         |               |            | 2          | 23    | 87.0%            |
| Pinellas Park Mid.  | 1            | 1               | 2            | 3          | 3             |            | 13         | 23    | 17.4%            |
| Seminole High       | 4            | 3               | 2            | 3          | 1             | 2          | 8          | 23    | 30.4%            |
| Dunedin High        | 1            |                 | 2            | 4          | 2             |            | 12         | 21    | 23.8%            |
| Largo High          | 2            |                 |              | 8          | 1             |            | 9          | 20    | 50.0%            |
| Azalea Middle       | 4            |                 | 2            | 11         |               |            | 2          | 19    | 78.9%            |
| Calvin A. Hunsinger | 1            |                 |              | 12         | 1             |            | 5          | 19    | 68.4%            |
| Clearwater High     | 2            | 1               | 1            | 4          | 4             | 1          | 4          | 17    | 35.3%            |
| Northeast High      | 3            |                 | 1            | 1          | 2             |            | 9          | 16    | 25.0%            |
| Dunedin Highland    | 3            |                 |              | 9          | 1             |            | 2          | 15    | 80.0%            |
| Gibbs High          | 11           |                 |              | 3          | 1             |            |            | 15    | 93.3%            |
| Dixie Hollins High  | 1            | 1               | 1            | 6          |               |            | 5          | 14    | 50.0%            |
| Safety Harbor Mid.  | 1            |                 | 1            | 7          |               |            | 4          | 13    | 61.5%            |
| Countryside High    |              |                 |              | 8          | 1             |            | 3          | 12    | 66.7%            |
| Largo Middle        | 2            |                 | 2            | 4          |               |            | 4          | 12    | 50.0%            |
| Meadowlawn Mid.     | 1            |                 | 4            | 6          |               |            | 1          | 12    | 58.3%            |
| Clearwater Interm.  | 3            |                 |              | 5          |               |            | 2          | 10    | 80.0%            |
| East Lake High      | 1            |                 | 2            |            |               |            | 7          | 10    | 10.0%            |
| Hamilton Disston    | 3            |                 |              | 7          |               |            |            | 10    | 100.0%           |
| Oak Grove Middle    | 1            | 1               |              | 5          |               |            | 3          | 10    | 60.0%            |
| Osceola Middle      | 1            | 1               | 2            | 2          |               |            | 3          | 9     | 33.3%            |
| Bayside High        | 1            |                 | 1            | 5          | 1             |            |            | 8     | 75.0%            |
| Tyrone Middle       | 1            |                 | 2            | 4          |               |            | 1          | 8     | 62.5%            |
| Bay Point Middle    | 3            |                 |              | 4          |               |            |            | 7     | 100.0%           |
| Seminole Middle     | 2            |                 | 2            | 2          |               |            | 1          | 7     | 57.1%            |
| Palm Harbor U High  |              |                 |              |            |               |            | 5          | 5     | 0.0%             |
| Tarpon Springs Hi   | 1            |                 | 1            | 1          |               |            |            | 3     | 66.7%            |
| Amikids Pinellas    |              |                 |              | 1          | 1             |            |            | 2     | 50.0%            |
| Dunedin Academy     |              |                 |              | 2          |               |            |            | 2     | 100.0%           |
| John Hopkins Mid    |              |                 |              | 2          |               |            |            | 2     | 100.0%           |
| Kings Highway El.   |              |                 |              | 1          | 1             |            |            | 2     | 50.0%            |
| Lake St George El.  |              |                 | 2            |            |               |            |            | 2     | 0.0%             |
| Clearwater C. High  |              |                 |              |            |               |            | 1          | 1     | 0.0%             |
| Enterprise High     | 1            |                 |              |            |               |            |            | 1     | 100.0%           |
| Fairmount Park El.  |              |                 |              | 1          |               |            |            | 1     | 100.0%           |
| First Presbyterian  | 1            |                 |              |            |               |            |            | 1     | 100.0%           |
| Gulfcoast Academy   |              |                 |              |            | 1             |            |            | 1     | 0.0%             |

<sup>8</sup> See "DJJ Data"

|                      |              |             |             |              |             |             |              |            |              |
|----------------------|--------------|-------------|-------------|--------------|-------------|-------------|--------------|------------|--------------|
| Northwest El.        |              |             |             |              |             |             | 1            | 1          | 0.0%         |
| Osceola High         | 1            |             |             |              |             |             |              | 1          | 100.0%       |
| Palm Harbor Middle   |              |             |             |              |             |             | 1            | 1          | 0.0%         |
| Pinellas Central El. |              |             |             | 1            |             |             |              | 1          | 100.0%       |
| Pinellas Park Elem   |              |             |             |              |             |             | 1            | 1          | 0.0%         |
| Positive Pathways    | 1            |             |             |              |             |             |              | 1          | 100.0%       |
| Saint Cecelia        |              |             |             | 1            |             |             |              | 1          | 100.0%       |
| Tarpon Springs Mid   |              |             |             |              |             |             | 1            | 1          | 0.0%         |
| Unknown              |              |             |             |              |             |             |              | 4          | 0.0%         |
| <b>TOTAL NUMBER</b>  | <b>106</b>   | <b>15</b>   | <b>41</b>   | <b>244</b>   | <b>35</b>   | <b>5</b>    | <b>149</b>   | <b>599</b> | <b>58.4%</b> |
| <b>TOTAL %</b>       | <b>17.7%</b> | <b>2.5%</b> | <b>6.8%</b> | <b>40.7%</b> | <b>5.8%</b> | <b>0.8%</b> | <b>24.9%</b> |            |              |

## Pinellas County School Arrest 2014-15 by Race and Gender

| SCHOOL                  | OFFENSE                        | SEX/RACE      | Felony | Misdem. |
|-------------------------|--------------------------------|---------------|--------|---------|
| Amikids Pinellas Dop    | Aggravated Assault/Battery     | Male Black    | 1      |         |
|                         | Vandalism                      | Male Hispanic |        | 1       |
| Azalea Middle School    | Aggravated Assault/Battery     | Male Black    | 1      |         |
|                         |                                | Male White    | 1      |         |
|                         | Assault/Battery Not Aggravated | Female Black  |        | 2       |
|                         |                                | Female White  |        | 1       |
|                         |                                | Male Black    |        | 2       |
|                         | Disorderly Conduct             | Female Black  |        | 1       |
|                         |                                | Male Black    |        | 1       |
|                         | Grand Larceny(excl auto theft) | Female Black  | 1      |         |
|                         | Misd Violation of Drug Laws    | Male Black    |        | 1       |
|                         |                                | Male White    |        | 1       |
|                         | Other Robbery                  | Male Black    | 5      |         |
|                         | Trespassing                    | Female White  |        | 1       |
|                         | Weapon/Firearm Offense         | Male Black    | 1      |         |
| Bay Point Middle School | Aggravated Assault/Battery     | Female Black  | 1      |         |
|                         | Assault/Battery Not Aggravated | Female Black  |        | 1       |
|                         | Disorderly Conduct             | Female Black  |        | 1       |
|                         | Felony Drug Violation          | Male Black    | 1      |         |
|                         | Misd Obstruction of Justice    | Male Black    |        | 1       |
|                         | Misd Violation of Drug Laws    | Male Black    |        | 2       |
| Bayside High School     | Assault/Battery Not Aggravated | Female Black  |        | 1       |
|                         |                                | Male Black    |        | 1       |
|                         | Disorderly Conduct             | Male Black    |        | 2       |
|                         | Misd Violation of Drug Laws    | Female White  |        | 1       |
|                         |                                | Male Black    |        | 2       |
|                         |                                | Male Hispanic |        | 1       |

|                                |                                |                 |   |   |
|--------------------------------|--------------------------------|-----------------|---|---|
| Boca Ciega High                | Aggravated Assault/Battery     | Male Black      | 3 |   |
|                                |                                | Male White      | 1 |   |
|                                | Burglary                       | Male Black      | 2 |   |
|                                | Disorderly Conduct             | Male Black      |   | 3 |
|                                | Felony Vandalism               | Male Black      | 1 |   |
|                                | Misd Obstruction of Justice    | Male Black      |   | 3 |
|                                | Misd Violation of Drug Laws    | Female Black    |   | 1 |
|                                |                                | Male Black      |   | 3 |
|                                |                                | Male White      |   | 3 |
|                                | Trespassing                    | Female Black    |   | 2 |
|                                |                                | Male Black      |   | 3 |
|                                | Weapon/Firearm Offense         | Female Black    | 1 |   |
| Calvin A. Hunsinger School     | “Other” Misdemeanors           | Male White      |   | 1 |
|                                | Aggravated Assault/Battery     | Female Black    | 1 |   |
|                                |                                | Male Black      | 9 |   |
|                                | Assault/Battery Not Aggravated | Male Hispanic   |   | 1 |
|                                | Disorderly Conduct             | Male Black      |   | 2 |
|                                |                                | Male White      |   | 2 |
|                                | Vandalism                      | Male Black      |   | 1 |
|                                |                                | Male White      |   | 1 |
|                                | Weapon/Firearm Offense         | Male White      | 1 |   |
| Clearwater Central Catholic Hi | Burglary                       | Male White      | 1 |   |
| Clearwater High School         | Assault/Battery Not Aggravated | Male Black      |   | 1 |
|                                | Disorderly Conduct             | Female Black    |   | 1 |
|                                |                                | Female Hispanic |   | 1 |
|                                | Felony Drug Violation          | Male White      | 1 |   |
|                                | Grand Larceny(excl auto theft) | Male White      | 1 |   |
|                                | Misd Obstruction of Justice    | Male Black      |   | 1 |
|                                | Misd Violation of Drug Laws    | Female Black    |   | 1 |

|                              |                                |                 |   |   |
|------------------------------|--------------------------------|-----------------|---|---|
|                              |                                | Male Black      |   | 1 |
|                              |                                | Male Hispanic   |   | 1 |
|                              |                                | Male Other      |   | 1 |
|                              |                                | Male White      |   | 1 |
|                              | Petit Larceny                  | Female White    |   | 1 |
|                              |                                | Male Hispanic   |   | 2 |
|                              | Trespassing                    | Male Black      |   | 1 |
|                              |                                | Male Hispanic   |   | 1 |
|                              |                                | Male White      |   | 1 |
| Clearwater Intermediate      | Aggravated Assault/Battery     | Female Black    | 1 |   |
|                              | Assault/Battery Not Aggravated | Male Black      |   | 1 |
|                              | Disorderly Conduct             | Female Black    |   | 1 |
|                              |                                | Male Black      |   | 2 |
|                              | Grand Larceny(excl auto theft) | Male Black      | 1 |   |
|                              | Misd Violation of Drug Laws    | Male White      |   | 1 |
|                              | Trespassing                    | Male Black      |   | 1 |
|                              | Vandalism                      | Female Black    |   | 1 |
|                              | Weapon/Firearm Offense         | Male White      | 1 |   |
| Countryside High School      | Assault/Battery Not Aggravated | Male White      |   | 2 |
|                              | Auto Theft                     | Male Black      | 2 |   |
|                              | Grand Larceny(excl auto theft) | Male Black      | 3 |   |
|                              | Misd Violation of Drug Laws    | Male Black      |   | 2 |
|                              |                                | Male Hispanic   |   | 1 |
|                              | Petit Larceny                  | Male Black      |   | 1 |
|                              |                                | Male White      |   | 1 |
| Dixie M. Hollins High School | Assault/Battery Not Aggravated | Female Hispanic |   | 1 |
|                              |                                | Male Black      |   | 1 |
|                              | Disorderly Conduct             | Female Black    |   | 1 |
|                              |                                | Male Black      |   | 1 |

|                                |                                |               |   |   |
|--------------------------------|--------------------------------|---------------|---|---|
|                                |                                | Male White    |   | 3 |
|                                | Misd Violation of Drug Laws    | Female White  |   | 1 |
|                                |                                | Male Black    |   | 3 |
|                                |                                | Male White    |   | 1 |
|                                | Trespassing                    | Male Black    |   | 1 |
|                                | Weapon/Firearm Offense         | Male White    | 1 |   |
| Dunedin Academy                | Assault/Battery Not Aggravated | Male Black    |   | 2 |
| Dunedin High School            | Aggravated Assault/Battery     | Male Black    | 1 |   |
|                                |                                | Male White    | 1 |   |
|                                | Assault/Battery Not Aggravated | Male Hispanic |   | 1 |
|                                |                                | Male White    |   | 2 |
|                                | Disorderly Conduct             | Female White  |   | 1 |
|                                |                                | Male White    |   | 3 |
|                                | Felony Drug Violation          | Male White    | 1 |   |
|                                | Grand Larceny(excl auto theft) | Male White    | 2 |   |
|                                | Misd Violation of Drug Laws    | Female Black  |   | 1 |
|                                |                                | Male White    |   | 3 |
|                                | Petit Larceny                  | Female White  |   | 1 |
|                                |                                | Male Black    |   | 2 |
|                                |                                | Male Hispanic |   | 1 |
|                                | Vandalism                      | Male Black    |   | 1 |
| Dunedin Highland Middle School | Aggravated Assault/Battery     | Female Black  | 1 |   |
|                                |                                | Male Black    | 1 |   |
|                                |                                | Male White    | 1 |   |
|                                | Assault/Battery Not Aggravated | Male Black    |   | 2 |
|                                |                                | Male White    |   | 1 |
|                                | Disorderly Conduct             | Female Black  |   | 1 |
|                                |                                | Male Black    |   | 5 |
|                                | Petit Larceny                  | Male Black    |   | 1 |



|                               |                                |                 |   |   |
|-------------------------------|--------------------------------|-----------------|---|---|
|                               | Trespassing                    | Female Black    |   | 1 |
|                               |                                | Male Hispanic   |   | 1 |
| East Lake High School         | Disorderly Conduct             | Female Black    |   | 1 |
|                               |                                | Female White    |   | 1 |
|                               |                                | Male White      |   | 1 |
|                               | Misd Violation of Drug Laws    | Female White    |   | 1 |
|                               |                                | Male White      |   | 5 |
|                               | Trespassing                    | Male White      |   | 1 |
| Enterprise High School        | Assault/Battery Not Aggravated | Female Black    |   | 1 |
| Fairmount Park Elementary     | Grand Larceny(excl auto theft) | Male Black      | 1 |   |
| First Presbyterian Day School | Weapon/Firearm Offense         | Female Black    | 1 |   |
| Fitzgerald Middle School      | Aggravated Assault/Battery     | Female Black    | 1 |   |
|                               |                                | Male Black      | 5 |   |
|                               |                                | Male Hispanic   | 2 |   |
|                               |                                | Male White      | 4 |   |
|                               | Assault/Battery Not Aggravated | Female Black    |   | 3 |
|                               |                                | Male Black      |   | 1 |
|                               |                                | Male Hispanic   |   | 2 |
|                               |                                | Male White      |   | 3 |
|                               | Disorderly Conduct             | Female Black    |   | 4 |
|                               |                                | Female Hispanic |   | 2 |
|                               |                                | Female White    |   | 3 |
|                               |                                | Male Black      |   | 2 |
|                               |                                | Male Hispanic   |   | 1 |
|                               |                                | Male White      |   | 1 |
|                               | Grand Larceny(excl auto theft) | Male Other      | 1 |   |
|                               | Misd Violation of Drug Laws    | Female White    |   | 2 |
|                               |                                | Male White      |   | 1 |
|                               | Petit Larceny                  | Female Hispanic |   | 1 |

|                               |                                |               |   |   |
|-------------------------------|--------------------------------|---------------|---|---|
|                               |                                | Male Hispanic |   | 1 |
|                               | Vandalism                      | Female Black  |   | 1 |
|                               |                                | Male White    |   | 1 |
|                               | Weapon/Firearm Offense         | Female Black  | 1 |   |
|                               |                                | Male Hispanic | 1 |   |
|                               |                                | Male White    | 3 |   |
| Gibbs High School             | Aggravated Assault/Battery     | Female Black  | 2 |   |
|                               | Assault/Battery Not Aggravated | Female Black  |   | 2 |
|                               | Auto Theft                     | Male Black    | 1 |   |
|                               | Disorderly Conduct             | Female Black  |   | 3 |
|                               |                                | Male Black    |   | 1 |
|                               | Misd Violation of Drug Laws    | Female Black  |   | 2 |
|                               | Petit Larceny                  | Male Black    |   | 1 |
|                               | Trespassing                    | Female Black  |   | 2 |
| Gulfcoast Academy             | Weapon/Firearm Offense         | Male Hispanic | 1 |   |
|                               | Misd Violation of Drug Laws    | Male Hispanic |   | 1 |
| Hamilton Disston School       | Aggravated Assault/Battery     | Female Black  | 1 |   |
|                               | Disorderly Conduct             | Female Black  |   | 2 |
|                               |                                | Male Black    |   | 7 |
| John Hopkins Middle School    | Burglary                       | Male Black    | 1 |   |
|                               | Disorderly Conduct             | Male Black    |   | 1 |
| Kings Highway Elementary      | Trespassing                    | Male Black    |   | 1 |
|                               |                                | Male Hispanic |   | 1 |
| Lake St George Elementary Sch | Burglary                       | Female White  | 2 |   |
| Lakewood High School          | Aggravated Assault/Battery     | Female Black  | 1 |   |
|                               |                                | Male Black    | 1 |   |
|                               |                                | Male White    | 1 |   |
|                               | Assault/Battery Not Aggravated | Male Black    |   | 2 |
|                               | Disorderly Conduct             | Female Black  |   | 2 |

|                     |                                |                 |   |   |
|---------------------|--------------------------------|-----------------|---|---|
|                     |                                | Male Black      |   | 3 |
|                     | Felony Drug Violation          | Male Black      | 3 |   |
|                     | Misd Obstruction of Justice    | Male Black      |   | 1 |
|                     | Stolen Property                | Female Black    | 1 |   |
|                     | Trespassing                    | Female Hispanic |   | 1 |
|                     |                                | Male Black      |   | 3 |
|                     | Weapon/Firearm Offense         | Female Black    | 2 |   |
|                     |                                | Male Black      | 1 |   |
|                     |                                | Male White      | 1 |   |
|                     |                                |                 |   |   |
| Largo High School   | Aggravated Assault/Battery     | Male Black      | 2 |   |
|                     | Assault/Battery Not Aggravated | Female Black    |   | 1 |
|                     |                                | Male White      |   | 1 |
|                     | Disorderly Conduct             | Male Black      |   | 2 |
|                     | Felony Drug Violation          | Male White      | 1 |   |
|                     | Grand Larceny(excl auto theft) | Male White      | 1 |   |
|                     | Misd Violation of Drug Laws    | Male Hispanic   |   | 1 |
|                     |                                | Male White      |   | 1 |
|                     | Obstruct Justice Non Violent   | Male Black      | 1 |   |
|                     |                                | Male White      | 1 |   |
|                     | Petit Larceny                  | Male Black      |   | 1 |
|                     | Trespassing                    | Female Black    |   | 1 |
|                     |                                | Male Black      |   | 1 |
|                     |                                | Male White      |   | 1 |
|                     | Weapon/Firearm Offense         | Male Black      | 1 |   |
|                     |                                | Male White      | 3 |   |
|                     |                                |                 |   |   |
| Largo Middle School | Aggravated Assault/Battery     | Female White    | 1 |   |
|                     | Assault/Battery Not Aggravated | Male Black      |   | 1 |
|                     |                                | Male White      |   | 1 |
|                     | Disorderly Conduct             | Female Black    |   | 1 |

|                          |                                |                 |   |   |
|--------------------------|--------------------------------|-----------------|---|---|
|                          |                                | Male Black      |   | 2 |
|                          | Felony Drug Violation          | Male White      | 2 |   |
|                          | Misd Obstruction of Justice    | Male Black      |   | 1 |
|                          | Trespassing                    | Female Black    |   | 1 |
|                          |                                | Female White    |   | 1 |
|                          | Vandalism                      | Male White      |   | 1 |
| Meadowlawn Middle School | Aggravated Assault/Battery     | Male Black      | 3 |   |
|                          | Assault/Battery Not Aggravated | Female White    |   | 2 |
|                          | Disorderly Conduct             | Female Black    |   | 1 |
|                          |                                | Male Black      |   | 2 |
|                          | Misd Violation of Drug Laws    | Male White      |   | 1 |
|                          | Other Robbery                  | Male Black      | 1 |   |
|                          | Trespassing                    | Female White    |   | 1 |
|                          | Weapon/Firearm Offense         | Female White    | 1 |   |
| Northeast High School    | "Other" Misdemeanors           | Male Hispanic   |   | 1 |
|                          |                                | Male White      |   | 1 |
|                          | Aggravated Assault/Battery     | Female Black    | 1 |   |
|                          | Assault/Battery Not Aggravated | Female Black    |   | 1 |
|                          | Burglary                       | Male White      | 2 |   |
|                          | Felony Drug Violation          | Male White      | 2 |   |
|                          | Misd Sex Offenses              | Male White      |   | 1 |
|                          | Misd Violation of Drug Laws    | Female Black    |   | 1 |
|                          |                                | Female White    |   | 1 |
|                          |                                | Male White      |   | 2 |
|                          | Trespassing                    | Male Black      |   | 1 |
|                          |                                | Male Hispanic   |   | 1 |
|                          |                                | Male White      |   | 1 |
| Northwest Elementary     | Weapon/Firearm Offense         | Male White      | 1 |   |
| Oak Grove Middle School  | Aggravated Assault/Battery     | Female Hispanic | 1 |   |

|                             |                                |                 |   |   |
|-----------------------------|--------------------------------|-----------------|---|---|
|                             |                                | Male Black      | 1 |   |
|                             |                                | Male White      | 1 |   |
|                             | Assault/Battery Not Aggravated | Male Black      |   | 2 |
|                             | Disorderly Conduct             | Male Black      |   | 2 |
|                             | Grand Larceny(excl auto theft) | Male White      | 1 |   |
|                             | Misd Violation of Drug Laws    | Female Black    |   | 1 |
|                             |                                | Male White      |   | 1 |
| Osceola High School         | Weapon/Firearm Offense         | Female Black    | 1 |   |
| Osceola Middle              | Assault/Battery Not Aggravated | Female Black    |   | 1 |
|                             |                                | Female White    |   | 1 |
|                             |                                | Male Black      |   | 1 |
|                             | Disorderly Conduct             | Female Hispanic |   | 1 |
|                             |                                | Female White    |   | 1 |
|                             |                                | Male Black      |   | 1 |
|                             | Misd Violation of Drug Laws    | Male White      |   | 1 |
|                             | Other Robbery                  | Male White      | 1 |   |
| Palm Harbor Middle          | Trespassing                    | Male White      |   | 1 |
|                             | Assault/Battery Not Aggravated | Male White      |   | 1 |
| Palm Harbor University High | Auto Theft                     | Male White      | 1 |   |
|                             | Burglary                       | Male White      | 1 |   |
|                             | Disorderly Conduct             | Male White      |   | 1 |
|                             | Misd Violation of Drug Laws    | Male White      |   | 1 |
|                             | Weapon/Firearm Offense         | Male White      | 1 |   |
| Pinellas Central Elementary | Arson                          | Male Black      | 1 |   |
| Pinellas Park Elementary    | Assault/Battery Not Aggravated | Male White      |   | 1 |
| Pinellas Park High School   | “Other” Felony                 | Male Hispanic   | 1 |   |
|                             | Assault/Battery Not Aggravated | Female Black    |   | 2 |
|                             |                                | Female White    |   | 2 |
|                             |                                | Male Black      |   | 1 |

|                             |                                |                 |   |   |
|-----------------------------|--------------------------------|-----------------|---|---|
|                             | Disorderly Conduct             | Female White    |   | 1 |
|                             |                                | Male Black      |   | 2 |
|                             |                                | Male White      |   | 1 |
|                             | Misd Obstruction of Justice    | Male White      |   | 1 |
|                             | Misd Violation of Drug Laws    | Male Hispanic   |   | 1 |
|                             |                                | Male Other      |   | 1 |
|                             |                                | Male White      |   | 3 |
|                             | Other Fel Sex Offense          | Male White      | 1 |   |
|                             | Petit Larceny                  | Male Black      |   | 2 |
|                             |                                | Male Hispanic   |   | 1 |
|                             | Trespassing                    | Male Black      |   | 3 |
|                             |                                | Male White      |   | 3 |
|                             | Vandalism                      | Female Hispanic |   | 1 |
|                             | Weapon/Firearm Offense         | Male Black      | 1 |   |
| Pinellas Park Middle School | Aggravated Assault/Battery     | Male Black      | 1 |   |
|                             |                                | Male White      | 1 |   |
|                             | Assault/Battery Not Aggravated | Female Black    |   | 1 |
|                             | Disorderly Conduct             | Female Hispanic |   | 1 |
|                             |                                | Female White    |   | 1 |
|                             |                                | Male Black      |   | 1 |
|                             |                                | Male White      |   | 4 |
|                             | Misd Violation of Drug Laws    | Male White      |   | 2 |
|                             | Other Fel Sex Offense          | Male Black      | 1 |   |
|                             | Petit Larceny                  | Female White    |   | 1 |
|                             |                                | Male Hispanic   |   | 1 |
|                             |                                | Male White      |   | 1 |
|                             | Trespassing                    | Male Hispanic   |   | 2 |
|                             |                                | Male White      |   | 3 |
|                             | Weapon/Firearm Offense         | Male White      | 2 |   |

|                           |                                |                 |    |   |
|---------------------------|--------------------------------|-----------------|----|---|
| Pinellas Secondary School | Aggravated Assault/Battery     | Female Black    | 2  |   |
|                           |                                | Male Black      | 2  |   |
|                           |                                | Male White      | 1  |   |
|                           | Assault/Battery Not Aggravated | Male Black      |    | 3 |
|                           | Disorderly Conduct             | Female Black    |    | 2 |
|                           |                                | Female Hispanic |    | 1 |
|                           |                                | Male Black      |    | 8 |
|                           |                                | Male Hispanic   |    | 1 |
|                           |                                | Male White      |    | 1 |
|                           | Felony Vandalism               | Female Black    | 1  |   |
|                           | Grand Larceny(excl auto theft) | Male Black      | 2  |   |
|                           | Misd Obstruction of Justice    | Female Black    |    | 1 |
|                           | Misd Violation of Drug Laws    | Male White      |    | 1 |
|                           | Petit Larceny                  | Male Black      |    | 1 |
|                           | Trespassing                    | Female Black    |    | 1 |
|                           |                                | Male Black      |    | 2 |
| Positive Pathways         | Misd Violation of Drug Laws    | Female Black    |    | 1 |
| Richard L. Sanders School | “Other” Misdemeanors           | Male Black      |    | 2 |
|                           | Aggravated Assault/Battery     | Female Black    | 2  |   |
|                           |                                | Male Black      | 14 |   |
|                           |                                | Male White      | 1  |   |
|                           | Assault/Battery Not Aggravated | Female Black    |    | 1 |
|                           |                                | Male Black      |    | 6 |
|                           | Disorderly Conduct             | Male Black      |    | 7 |
|                           | Felony Vandalism               | Male Black      | 1  |   |
|                           | Misd Sex Offenses              | Male Black      |    | 1 |
|                           | Misd Violation of Drug Laws    | Male White      |    | 1 |
|                           | Obstruct Justice Non Violent   | Male Black      | 1  |   |
|                           | Vandalism                      | Male Black      |    | 3 |

|                              |                                |                 |   |   |
|------------------------------|--------------------------------|-----------------|---|---|
|                              |                                | Male White      |   | 1 |
|                              | Weapon/Firearm Offense         | Male Black      | 1 |   |
| Safety Harbor Middle School  | Aggravated Assault/Battery     | Female White    | 1 |   |
|                              |                                | Male Black      | 2 |   |
|                              |                                | Male White      | 1 |   |
|                              | Assault/Battery Not Aggravated | Female Black    |   | 1 |
|                              |                                | Male Black      |   | 1 |
|                              | Disorderly Conduct             | Male Black      |   | 3 |
|                              |                                | Male White      |   | 1 |
|                              | Misd Obstruction of Justice    | Male Black      |   | 1 |
|                              | Misd Violation of Drug Laws    | Male White      |   | 1 |
|                              | Petit Larceny                  | Male White      |   | 1 |
| Saint Cecelia Interparochial | Auto Theft                     | Male Black      | 1 |   |
| Seminole High School         | Aggravated Assault/Battery     | Male Other      | 1 |   |
|                              | Assault/Battery Not Aggravated | Male Black      |   | 1 |
|                              | Burglary                       | Female Black    | 2 |   |
|                              |                                | Female Hispanic | 2 |   |
|                              | Disorderly Conduct             | Female Black    |   | 1 |
|                              |                                | Female Hispanic |   | 1 |
|                              |                                | Male Black      |   | 1 |
|                              |                                | Male White      |   | 1 |
|                              | Grand Larceny(excl auto theft) | Male Black      | 1 |   |
|                              | Misd Violation of Drug Laws    | Female White    |   | 2 |
|                              |                                | Male Hispanic   |   | 1 |
|                              |                                | Male Other      |   | 1 |
|                              |                                | Male White      |   | 6 |
|                              | Misd Weapon/Firearm Offense    | Female Black    |   | 1 |
|                              | Trespassing                    | Male White      |   | 1 |
| Seminole Middle School       | Aggravated Assault/Battery     | Male Black      | 1 |   |

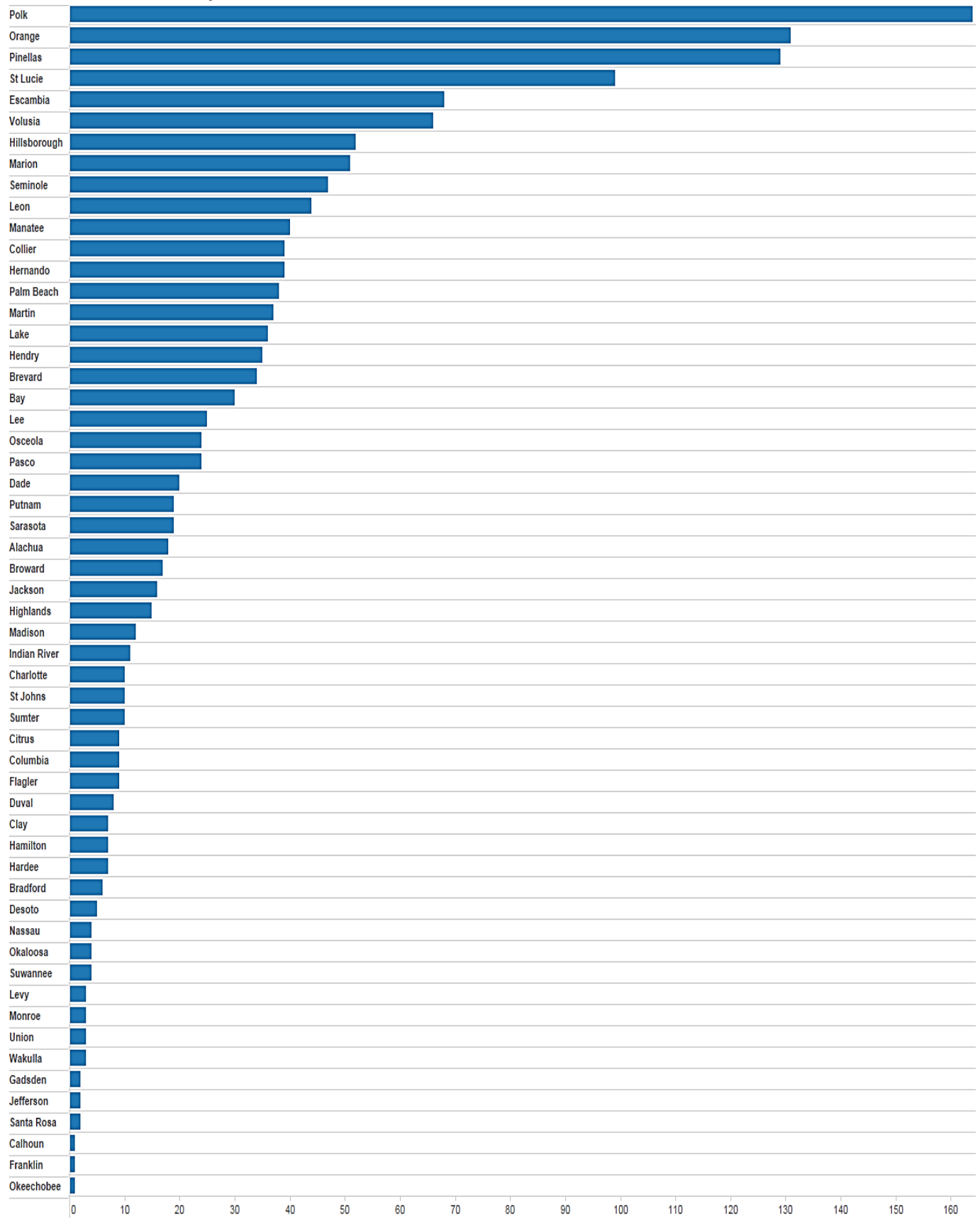


|                            |                                |                 |   |   |
|----------------------------|--------------------------------|-----------------|---|---|
|                            | Assault/Battery Not Aggravated | Female White    |   | 1 |
|                            | Disorderly Conduct             | Female Black    |   | 2 |
|                            |                                | Female White    |   | 1 |
|                            |                                | Male Black      |   | 1 |
|                            | Misd Violation of Drug Laws    | Male White      |   | 1 |
| St. Petersburg High School | Aggravated Assault/Battery     | Female Black    | 1 |   |
|                            |                                | Female Hispanic | 1 |   |
|                            | Arson                          | Female Black    | 1 |   |
|                            | Assault/Battery Not Aggravated | Female Black    |   | 3 |
|                            | Burglary                       | Male Black      | 1 |   |
|                            | Disorderly Conduct             | Female Black    |   | 4 |
|                            | Felony Drug Violation          | Male White      | 1 |   |
|                            | Grand Larceny(excl auto theft) | Male Black      | 4 |   |
|                            | Misd Violation of Drug Laws    | Female White    |   | 3 |
|                            |                                | Male Black      |   | 1 |
|                            |                                | Male Hispanic   |   | 3 |
|                            |                                | Male White      |   | 4 |
|                            | Trespassing                    | Female Black    |   | 7 |
|                            |                                | Male Black      |   | 1 |
|                            |                                | Male White      |   | 2 |
|                            | Weapon/Firearm Offense         | Male Black      | 1 |   |
| Tarpon Springs High School | Aggravated Assault/Battery     | Female Black    | 1 |   |
|                            | Misd Violation of Drug Laws    | Female White    |   | 1 |
|                            |                                | Male Black      |   | 1 |
| Tarpon Springs Middle      | Misd Violation of Drug Laws    | Male White      |   | 1 |
| Tyrone Middle School       | Aggravated Assault/Battery     | Female White    | 2 |   |
|                            |                                | Male Black      | 1 |   |
|                            |                                | Male White      | 1 |   |
|                            | Disorderly Conduct             | Male Black      |   | 1 |

|  |                             |              |   |   |
|--|-----------------------------|--------------|---|---|
|  | Misd Violation of Drug Laws | Male Black   |   | 1 |
|  | Weapon/Firearm Offense      | Female Black | 1 |   |
|  |                             | Male Black   | 1 |   |

For spreadsheet, please email [amir.whitaker@splcenter.org](mailto:amir.whitaker@splcenter.org)

## Disorderly Conduct School Related Arrests in Florida 2014-15 <sup>9</sup>



<sup>9</sup> See “DJJ Data”

# Pinellas County Schools Report Card



## PINELLAS COUNTY SCHOOLS REPORT CARD



### SCHOOL DISCIPLINE

**Nearly 70%** of Florida school districts use suspension less than Pinellas County. Defiance/insubordination is the most frequent cause of suspension.<sup>i</sup>

**250,000+** hours of school have been missed by black students being suspended since 2010.<sup>ii</sup>

**54%** of black students received an in-school suspension compared to 20% of white students.<sup>iii</sup>

**53%** of students given out-of-school suspensions are black.<sup>iv</sup>

**45%** of students placed in alternative schools are black.<sup>v</sup>

**23%** of black students without disabilities were suspended multiple times, nearly **4X** the rate of white students.<sup>vi</sup>

### EQUITY AND ACADEMIC OUTCOMES

**Twice** as many black students drop out of school than white students.<sup>vii</sup>

**45%** of black males do not graduate, compared to 27% of white males.<sup>viii</sup>

**32%** of students who are held back a grade are black.<sup>ix</sup>

**75%** of black students failed the FCAT reading test.<sup>x</sup>

**Only 4%** of students identified as “gifted” are black.<sup>xi</sup>

**48%** of students identified as “Emotionally/Behaviorally Disabled” or EBD are black.<sup>xii</sup>

**8%** of teachers are black, nearly half the state average.<sup>xiii</sup>

### SCHOOL ARRESTS

**81%** of Florida school districts arrest fewer children than Pinellas County Schools.<sup>xiv</sup>

**2 out of 3** school arrests are for misdemeanor offenses.<sup>xv</sup>

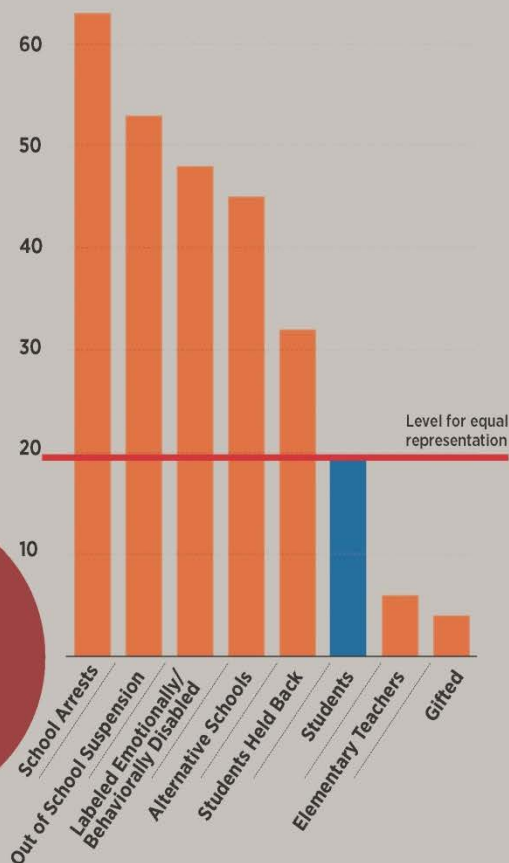
Pinellas is **3rd** in the state for disproportionately arresting black children.<sup>xvi</sup>

**21%** of school arrests are for disorderly conduct, the most common reason for arrest in Pinellas County Schools. Only 2% of youth arrests in the community are for disorderly conduct.<sup>xvii</sup>

**35X** as many students are arrested for disorderly conduct in Pinellas than Miami despite Miami having 3X as many students.<sup>xviii</sup>

**70%** of disorderly conduct arrests and 63% of school arrests are of black students.<sup>xix</sup>

### Percentage of Black Student Representation

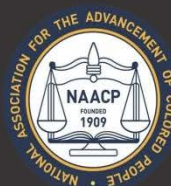


### 2013-14 School Arrests Per 1,000

|               |    |
|---------------|----|
| Pinellas      | 12 |
| Hillsborough  | 8  |
| State Average | 7  |
| Sarasota      | 5  |
| Miami-Dade    | 3  |

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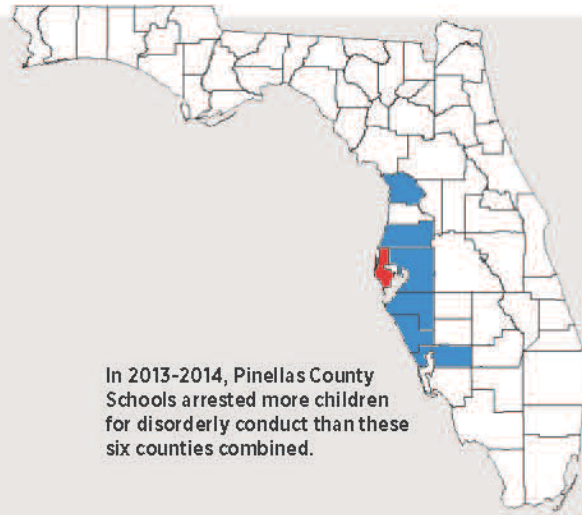


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## REMEDIES

- Consistently staff in-school suspension sessions with certified teachers.
- Allow suspended students to receive full credit for work instead of partial or no credit.
- Revise the code of conduct to eliminate vague infractions.
- Require use of progressive discipline chart that ensures alternatives are used before suspension.
- Institute implicit bias and cultural awareness training for teachers and administrators.
- Increase efforts to recruit and retain teachers of color.
- Increase assessments to identify gifted black students.
- Evaluate and increase academic remediation and dropout prevention programs.
- Reduce bias in special education identification process.
- End the practice of arresting students for disorderly conduct.
- Use civil citation and other alternatives to arrests more in school settings.
- Establish a protocol and guidelines for all law enforcement agencies to ensure students are not needlessly arrested.
- Institute implicit bias, cultural sensitivity, and de-escalation training for officers.



**In 2013-2014, Pinellas County Schools arrested more children for disorderly conduct than these six counties combined.**

## RECOMMENDATIONS BY THE FLORIDA ASSOCIATION OF SCHOOL PSYCHOLOGISTS<sup>xx</sup>

- Ban the use of out-of-school suspension for minor infractions including “defiance”, “disruption” and other minor, nonviolent behavioral violations
- Ban the use of out-of-school suspension and expulsion for ALL behavioral incidents involving our youngest and most vulnerable students in preschool and elementary schools
- Mandate that teachers and other school professionals take at least one college credit or 20 hours of in-service training on classroom management and/or behavior interventions as well as information related to the school-to-prison pipeline crisis
- Require all School Resource Officers (SROs) to be trained in differentiating criminal misconduct from misbehavior as well as a broader understanding of how to de-escalate potentially violent situations
- Provide technical and financial assistance to districts and schools in order to improve

i FL DOE Survey 5 Student Discipline Data by District 2013-2014

ii Tampa Bay Times 12/6/2015, “Failure Factories: Pinellas suspends black kids more than virtually every other big Florida county”

iii United States Department of Education Civil Rights Data Collection 2011-2012 (latest available)

iv Pinellas County Schools data from 2014-2015 from “Reports on Progress - September 2015”

v Public Records Request submitted by the Southern Poverty Law Center

vi United States Department of Education Civil Rights Data Collection 2011-2012 (latest available)

vii FL DOE “Dropout Rates by Race by District 2013 - 2014”

viii FL DOE “High School Graduation Rates 2013-2014”

ix FL DOE “NON-PROMOTIONS BY RACE/GENDER BY SCHOOL 2013-14 SURVEY 5 FINAL DATA”

x Pinellas County Schools “2012 - 2014 FCAT Reading Data Charts - Black/Non-Black Students”

xi FL DOE “EXCEPTIONAL STUDENT DATA BY EXCEPTIONALITY SCHOOL YEAR 2014-15, SURVEY 2”

xii FL DOE “EXCEPTIONAL STUDENT DATA BY EXCEPTIONALITY SCHOOL YEAR 2014-15, SURVEY 2”

xiii FL DOE Table 15, Total Teachers by Race/Ethnicity and Gender, Fall 2012

xiv FL DJJ “Delinquency in Schools 2013-2014”

xv FL DJJ “Delinquency in Schools 2013-2014”

xvi FL DJJ “Racial and Ethnic Disparities Benchmark Report 2012-2013”

xvii FL DJJ “Delinquency in Schools 2013-2014”

xviii FL DJJ “Delinquency in Schools 2013-2014”

xix FL DJJ “Delinquency in Schools 2013-2014”

xx Florida Association of School Psychologists *Position Statement on Ending the School-to-Prison Pipeline (2015)*

All data reflects the latest available on December 11th, 2015.

## Florida's 2014-15 School Arrest by School District<sup>10</sup>

| County       | Number<br>of School<br>Arrests |
|--------------|--------------------------------|
| Orange       | 925                            |
| Hillsborough | 828                            |
| Polk         | 685                            |
| Pinellas     | 599                            |
| Dade         | 477                            |
| Broward      | 469                            |
| Volusia      | 420                            |
| Duval        | 394                            |
| Palm Beach   | 339                            |
| Manatee      | 285                            |
| Escambia     | 284                            |
| St Lucie     | 284                            |
| Pasco        | 267                            |
| Seminole     | 267                            |
| Osceola      | 230                            |
| Marion       | 217                            |
| Lake         | 209                            |
| Brevard      | 187                            |
| Alachua      | 175                            |
| Leon         | 165                            |
| Collier      | 145                            |
| Hernando     | 126                            |
| Bay          | 124                            |

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<sup>10</sup> See "DJJ Data"

|              |     |
|--------------|-----|
| Lee          | 120 |
| Sarasota     | 114 |
| Clay         | 86  |
| Highlands    | 83  |
| Martin       | 83  |
| Hendry       | 82  |
| St Johns     | 76  |
| Putnam       | 69  |
| Flagler      | 65  |
| Charlotte    | 61  |
| Suwannee     | 54  |
| Sumter       | 50  |
| Desoto       | 46  |
| Columbia     | 45  |
| Citrus       | 44  |
| Jackson      | 44  |
| Indian River | 41  |
| Hardee       | 37  |
| Monroe       | 37  |
| Santa Rosa   | 34  |
| Madison      | 33  |
| Okaloosa     | 28  |
| Levy         | 26  |
| Gadsden      | 24  |
| Nassau       | 23  |
| Walton       | 22  |
| Okeechobee   | 21  |
| Baker        | 18  |

|            |    |
|------------|----|
| Hamilton   | 18 |
| Bradford   | 17 |
| Gilchrist  | 17 |
| Washington | 14 |
| Liberty    | 11 |
| Calhoun    | 10 |
| Dixie      | 10 |
| Holmes     | 8  |
| Union      | 8  |
| Jefferson  | 7  |
| Wakulla    | 7  |
| Gulf       | 6  |
| Franklin   | 5  |
| Glades     | 4  |
| Taylor     | 4  |
| Lafayette  | 3  |



## Disorderly Conduct Arrests by Sex and Race<sup>11</sup>

| School                  | Female<br>Black<br>Youth | Female<br>Hispanic<br>Youth | Female<br>White<br>Youth | Male<br>Black<br>Youth | Male<br>Hispanic<br>Youth | Male<br>White<br>Youth | TOTAL |
|-------------------------|--------------------------|-----------------------------|--------------------------|------------------------|---------------------------|------------------------|-------|
| Azalea Middle           | 1                        |                             |                          | 1                      |                           |                        | 2     |
| Bay Point Middle        | 1                        |                             |                          |                        |                           |                        | 1     |
| Bayside High            |                          |                             |                          | 2                      |                           |                        | 2     |
| Boca Ciega High         |                          |                             |                          | 3                      |                           |                        | 3     |
| Calvin A. Hunsinger     |                          |                             |                          | 2                      |                           | 2                      | 4     |
| Clearwater High         | 1                        | 1                           |                          |                        |                           |                        | 2     |
| Clearwater Intermediate | 1                        |                             |                          | 2                      |                           |                        | 3     |
| Dixie M. Hollins High   | 1                        |                             |                          | 1                      |                           | 3                      | 5     |
| Dunedin High            |                          |                             | 1                        |                        |                           | 3                      | 4     |
| Dunedin Highland Middle | 1                        |                             |                          | 5                      |                           |                        | 6     |
| East Lake High          | 1                        |                             | 1                        |                        |                           | 1                      | 3     |
| Fitzgerald Middle       | 4                        | 2                           | 3                        | 2                      | 1                         | 1                      | 13    |
| Gibbs High              | 3                        |                             |                          | 1                      |                           |                        | 4     |
| Hamilton Disston        | 2                        |                             |                          | 7                      |                           |                        | 9     |
| John Hopkins Middle     |                          |                             |                          | 1                      |                           |                        | 1     |
| Lakewood High           | 2                        |                             |                          | 3                      |                           |                        | 5     |
| Largo High              |                          |                             |                          | 2                      |                           |                        | 2     |
| Largo Middle            | 1                        |                             |                          | 2                      |                           |                        | 3     |
| Meadowlawn Middle       | 1                        |                             |                          | 2                      |                           |                        | 3     |
| Oak Grove Middle        |                          |                             |                          | 2                      |                           |                        | 2     |
| Osceola Middle          |                          | 1                           | 1                        | 1                      |                           |                        | 3     |
| Palm Harbor U High      |                          |                             |                          |                        |                           | 1                      | 1     |
| Pinellas Park High      |                          |                             | 1                        | 2                      |                           | 1                      | 4     |

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<sup>11</sup> See “DJJ Data”

|                      |           |          |          |           |          |           |            |
|----------------------|-----------|----------|----------|-----------|----------|-----------|------------|
| Pinellas Park Middle |           | 1        | 1        | 1         |          | 4         | 7          |
| Pinellas Secondary   | 2         | 1        |          | 8         | 1        | 1         | 13         |
| Richard L. Sanders   |           |          |          | 7         |          |           | 7          |
| Safety Harbor Middle |           |          |          | 3         |          | 1         | 4          |
| Seminole High        | 1         | 1        |          | 1         |          | 1         | 4          |
| Seminole Middle      | 2         |          | 1        | 1         |          |           | 4          |
| St. Petersburg High  | 4         |          |          |           |          |           | 4          |
| Tyrone Middle        |           |          |          | 1         |          |           | 1          |
|                      |           |          |          |           |          |           |            |
| <b>TOTAL</b>         | <b>29</b> | <b>7</b> | <b>9</b> | <b>63</b> | <b>2</b> | <b>19</b> | <b>129</b> |