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Examining the Relationship Between LEP Status and Delinquency Amongst High Schools Across America

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EXAMINING THE RELATIONSHIP BETWEEN LEP STATUS AND DELINQUENCY AMONGST HIGH SCHOOLS ACROSS AMERICA

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Texas Southern University, 2021

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This research is intended to examine the relationship between the enrollment of Limited English Proficient (LEP) students in American high schools and the rate of delinquency on campus. While the stigma and general belief that immigrants and criminality are correlated has existed throughout American History, empirical research findings have generally indicated the inverse to be true and often find that immigrants engage in lower rates of delinquency in comparison to their non-immigrant counterparts. Previous work in the field has primarily identified immigrants by legal or technical categorization, primarily nativity and immigrant status. Fewer are the studies who identify this group through cultural variables, such as acculturation variables. With the intention of furthering the understanding of the proposed immigrant-crime nexus, this study seeks to add a unique and missing element to the current body of knowledge that is immigrant criminality – examining the role that Limited English Proficient (LEP) status plays on delinquency in high schools. Using a secondary data analysis, this study examines the impact that LEP enrollment has on the rates of delinquency in high schools in a multi-state analysis. The results of this study determine that the rate of LEP

enrollment in a high school did not impact the rate of arrests or referrals on campus and LEP students are less likely than non-LEP students to be arrested or referred to law enforcement, The findings from this study yield insight into the understudied relationship between LEP students and delinquency across high schools in America as well as contribute to the ever-expanding field of immigrant crime

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LIST OF ABBREVIATIONS

LEP: Limited English Proficiency

CRDC: Civil Rights Data Collection

LESA: Limited English-Speaking Ability

RFEP: Reclassified as Fluent English Proficient

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DEDICATION

I dedicate this dissertation to my daughter, Natalia Campos. While you were not born when I began this journey, you are here with me as I finish it. I thank you for being the best child a father could ask for and, in this manner, aiding me in my completion of this dissertation. I also dedicate this dissertation to my mother, Rita, and my father, Rafael, for their decision to immigrate to America to give their children a better life. Without their sacrifices, I would not be where I am today. To my brothers, Rafael, Emmanuel, Raul and Daniel, who always encouraged me to keep pushing. I hope this dissertation and degree make you guys proud. Lastly, to the love of my life, Yazmin, thank you for being with me every step of the way in this journey. Your patience and encouragement during this process will never be forgotten.

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CHAPTER 1

INTRODUCTION

Since its inception, America and Americans have always debated the role which new immigrants play in society. These roles have not remained consistent but have modified themselves as unique groups of immigrants beginning their journey through assimilation into American society. These groups, who differ in geographical and racial terms from one another, are often stigmatized with perceptions as a group for a number of reasons. One of these perceptions is the association of criminality that appears to be linked to each wave of immigrants, as they settle down in America and begin to shed their old culture in exchange for American values and traditions. During the 1980's, the United States began to see an increase in criminal consequences of immigration law violations and deportations of even legal immigrants who were convicted of crimes (Miller, 2012). It was in the 1980's that Congress began to place immigration-related misconduct into the realm of criminal law and the executive branch increased their efforts of criminal enforcement on violations of immigration laws violations (Miller, 2012; Stumpf, 2006). This shift of viewing immigration misconduct through the criminal law lens, as opposed to the immigration lens, had a ripple effect in society. Issues which have existed since the inception of the nation, were now viewed by the general public as "new problems" of criminal deviance that required legal action in order to address. It was during this period of criminalizing immigration violations that the public began to perceive current and new waves of immigrants in a more criminal light, reflecting their government's stance on immigration. The immigration wave of the

1980's, as is still the case today, consisted of predominantly Hispanic and Latino immigrant groups, immigrating from all over Latin America with a strong representation of Mexican immigrants.

Contemporarily, not much has changed with regards to how the public and government views immigrants. Immigrants continue to combat the perception of criminality by the public, and thus by proxy, the democratically elected policy makers who seek to represent their constituents' wishes (Robben & Suarez-Orozco, 2000; Suarez-Orozco, 2001). In fact, during President Obama's second and third year in office, deportations rose to nearly 400,000, an increase of about 30% from President Bush's second term. Even as deportations have been on the rise, apprehensions of border crossers by the U.S. Border Patrol have declined by more than 70%—from 1.2 million in 2005 to 340,000 in 2011 (Passel and Cohn, 2010). During the Trump Presidential campaign and during his presidency, the perception of criminality between immigrant populations, particularly those from Latin America, only increased. Once in Office in 2016, President Trump enacted an executive order which connected immigration with public safety and set the foundation for his efforts on immigration enforcement under the guise of public safety (Executive Order No. 13768, 2017). Most notable of these immigration enforcements were the expansion of the range of deportable offenses (Kopan, 2018), the increase in removals of immigrants through arrests (United States Immigration and Customs Enforcement, 2018), and perhaps the most notable act of separating families at the border (Karaim, 2018). This increase of deportations and decrease of apprehensions illustrates that while immigration to America is on the decline,

the notion that immigrants are individuals who need to be removed from society is on the rise.

Using the General Social Survey from 2000, it was noted that 73% of respondents at the time believed that more immigrants are somewhat or very likely to cause higher crime rates (Alba et al., 2005; Ousey and Kubrin, 2009). As noted by researchers, a primary reason that nonempirical conclusions are drawn from the supposed immigrant-crime nexus is a result of politically motivated journalism and political agendas. Politicians and media representatives have conveyed this message to the public and have helped create the myth of criminality amongst foreign-born residents (Chiricos et al., 2004[NG3]). This criminality myth that has been created has crept into the legal world and gave rise to a new term used by some scholars to explain the synthesizing of immigration law and criminal law – "crimmigration". (Stumpf, 2006). Crimmigration is the result of comparing and equating immigration violations with criminal violations. The result is a perception of immigration law violators being stigmatized as permanently living in a life of crime. The term "illegal" immigrant thus implies that a fundamental part of who they are can be identified p in the term.

While media portrayals and public opinions imply that a significant portion of the American public believe that there exists a correlation between immigrants and criminality (Morenoff, & Astor, 2006; Chiricos et al., 2004), contemporary researchers have had contrary findings (Light et al., 2020; Martinez et al., 2010; Lopez & Miller, 2011; Ousey and Kubrin, 2009). Although empirical data exists to illustrate the negative relationship between immigrant status and criminality scientifically, additional research is necessary to fill the gaps in the literature on the subject of the immigrant-crime nexus.

Notably, research should focus on crime across the spectrum of daily living in America to provide a more broad and complete picture of the immigrant-crime nexus in America.

The current study is designed to add to the body of knowledge of the immigrant-crime nexus. More specifically, this study is intended to focus on rates of LEP classified high school student enrollments on high school campuses across the nation and the campus' rates of delinquency which occurs at those schools. In using the proficiency in the English language as the variable to separate the sample, this study seeks to distinguish itself from previous research with a focus on cultural immigrant variables, rather than technical immigrant variables. While there has been much research on the topic of foreign-born students and criminality (Morenoff and Astor 2006; Sampson 2008), these studies generally seek to identify immigrants by technical variables such as citizenship status and/or nativity status. Current research yields no known study which has looked at English speaking abilities in high school students and school delinquency. The primary benefit of focusing on the relationship between Limited English Proficient (LEP) high school student enrollments and delinquency on campus is that it narrows in on a primary cultural difference associated with assimilation into American society, not a technical difference. In doing so, this study will examine, and test previously held beliefs regarding the immigrant-crime nexus which has focused predominantly on technical immigrant variables. The result of this study is intended to measure the impact that rates of LEP enrollment has upon high school campuses rates of on-campus delinquency.

In order to achieve this, the study will examine data obtained from the publicly available U.S. Department of Education's Office for Civil Rights. The study intends to analyze the relationship between rates of delinquency across High Schools at a national

level and the rate of enrollment of LEP students on each campus. The idea is that High School aged students who are not classified as proficient in the use of the English language by the education system are more likely to be considered “cultural immigrants" when compared to their English proficient peers. By targeting high school aged students, the presumption of this study is that students aged about 13-18 are either newly immigrant arrivals, delayed in language learning (but not identified to be disabled) or reluctant to learn English proficiently enough to be placed in non-LEP curriculum. This study differentiates itself from past studies by separating the examined population by English speaking proficiency. In doing so, we are looking beyond nativity and immigrant legal status and focusing on a variable more closely identified with American assimilation – speaking English. If significant, the result of this study should yield a further understanding of the proposed relationships which exist between immigrant groups and their rates of delinquency. These findings will grant a more in-depth and accurate understanding of the proposed immigrant-crime nexus.

Purpose of the Study

The purpose of this study lies in the broader question researchers have been trying to address - do immigrants in the United States of America commit acts of delinquency at a higher rate than their native counterparts? The issue lies in the complexity of the adjective used to describe this group of people - immigrant. While previous research has been conducted which aims to analyze groups of people based on their nativity or legal status, less of a focus has been placed on the cultural variables which one could use to identify an immigrant. It is in this frame of mind that this study seeks to find its purpose. By focusing on the proficiency in the English language among young adults in High

Schools, this study seeks to identify students who lack an English mastery and compare their rates of on-campus delinquency to those who have mastered the English language. The results should yield findings which will add to the existing body of knowledge that is immigrant criminality with a focus on English speaking ability as opposed to national origin or legal status as the identifying variable. In doing so, a new element of identifying what it means to actually be an immigrant in this nation will be studied and discussed.

Significance of the Study

This study, and much like previous research focused on examining immigrant criminality, is significant simply by the nature of the topic and its relevance. The findings of this study will contribute to the body of work on the topic but will add two elements - a high school setting and English-speaking ability. Rarely outside of the public school setting which is mandated by federal law do we get to study such a large group of individuals who have been categorically placed into LEP programs. It is with confidence then that the author can identify at the aggregate level a population of students classified as LEP and compare their total rates of offending to those who are not labeled LEP students. While the topic is not a new one, the perspective and classification used in this study is one that is scarce in the research.

Defining Terminology

For the purposes of understanding the terminology which will be used in this study, this section will seek to define and conceptualize the following terms: Limited English Proficiency (LEP), referral to law enforcement and on-campus arrest.

Defining Limited English Proficiency

Similar to many other terms used to identify individuals, the term Limited English Proficiency was not always used when identifying this general group of students. Prior to 1978, the term used to identify this subset of students who benefited from federal bilingual education funding at the federal level was "limited English-Speaking ability" (LESA) which has its origins in the 1968 Bilingual Education Act (Anstrom, 1996). In a 1978 amendment, the term was broadened to include students who had sufficient difficulty in reading, writing, or understanding the English language. The expansion into these criteria led to abandoning the term Limited English Speaking Ability and the adoption of the term Limited English proficiency (Stewner-Manzanares, G., 1988; Anstrom, 1996) This term was further defined in Title VII of the Improving America's Schools Act of 1994 (Public Law 103-382), a student is LEP if he/she "has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny such individual the opportunity to learn successfully in classrooms where the language of Instruction is English or to participate fully in our society due to one or more of the following reasons:

1) Was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant.
2) Is a native American or Alaska native or who is a native resident of the outlying areas and comes from an environment where a language other than English has had significant impact on such individual's level of English language proficiency; or

3) Is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant" (sec 7501).

While the federal criteria, which guides the state criteria is established, it is only established as such through general guidelines and requirements. The implementation and operation of the LEP programs are still at the level of the state, in which they are expected to run the program in the best interest of service to the student. Therefore, when LEP procedures are applied at the state level, most states generally use the federal definition or a simplified and/or operational version of it (Cheung, O., and Solomon, L.W., 1991) However, research has indicated that discrepancy in the manner in which students are classified and reclassified vary on a state-by-state basis. Despite the increased national accountability achieved over the past decade, states vary in terms of the design and rigor of their LEP programs; the weighting applied to the speaking, listening, reading, and writing portions of their LEP assessments; and the cut-points (standards setting) used to reclassify LEP students as non-LEP students (Abedi, 2008, Ramsey & O'Day, 2010). Despite the noted issues that arise due to state interpretation and implementation of federal guidelines for LEP classification and reclassification, there is merit to the use of the identifier in a multi-state analysis.

Defining Referral to Law Enforcement

In order to measure delinquency or deviance, this study will be analyzing referrals to law enforcement and arrests on campus. Since the data obtained is derived from the U.S. department of Education office for Civil Rights, the variables will be defined using the 2015-2016 Civil Rights Data Collection School Climate and Safety Report (2019). According to the U.S. Department of Education Office for Civil Rights, a referral to a

Law Enforcement Agency or Official is an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurred on school grounds, during school-related events, or while taking school transportation. This variable is selected for this study because unlike other forms of on-campus delinquency, such as suspensions, a referral to a law enforcement agency implies an offense serious enough for the school to seek law enforcement involvement.

These referrals then, by nature, imply an offense which occurred on school grounds, during a school-related event or while taking school transportation which was of a nature beyond the school's capacity for discipline and as a result, are likely incidents which can be seen as serious in nature. It is important to note that according to the Office for Civil Rights, this referral could be made to any law enforcement officer in any department. Thus, the result will be referrals made to law enforcement officers who are employed by a school district police department (assuming they have one), officers working for an outside department that are assigned to the school or a referral could be made to a law enforcement agency not involved with the campus at all.

Defining School Related Arrest

Similar to a referral to law enforcement on campus, a school-related arrest on campus is defined as an arrest of a student for any activity conducted on school grounds, during off-campus- school activities, or due to a referral by any school official. This variable differs from the previously listed variable of referrals, in that an arrest on campus is a result of a peace officer actually placing a student under arrest for a suspected violation of the law and a referral does not exclusively result in an arrest. According to the Legal Information Institute at Cornell Law School, an arrest is defined

as follows: "*An arrest is using legal authority to deprive a person of his or her freedom of movemen*t [emphasis added]" (Cornell Law School, 2021).

For this study, both variables will be combined and used to measure the level of delinquency which occurs on campus. While these two variables may differ in terms of what they are measuring, they are both indicators of behavior by students which are serious enough to where the school is not able to handle the disciplinary reaction. These two variables are specifically desirable as research on suspension rates is abundant (Aud et al. 2010; Kaufman et al, 2010; Whitford et al, 2016) and a lesser emphasis placed on arrest. An additional reason for selecting these two variables to measure delinquency on-campus is to avoid the cited issue of certain groups being overrepresented in suspension rates. This discrepancy in representation of students among racial and ethnic lines in suspension rates is likely due to a cultural difference among values placed on behaviors. Students who behave in a certain manner due to their upbringing may be interpreted by their educators as behaving in a manner which does not align with the educator's ideals not as a result of defiance or deviance, but a misunderstanding. In selecting what the authors determine to be more serious variables to measure delinquency, this study seeks to ground itself in the theoretical belief that the criteria for referrals to law enforcement or arrest on-campus are subject to more objective standards. The intention is then to capture behavior on-campus which can be more accurately labeled as criminal, not just mischievous by an educator for previously cited reasons.

Theoretical Use of LEP Status

It is important to note that the use of LEP status for high school students as a means to identify them as a form of immigrants is not seen often in the existing literature. The reasoning behind selecting this study to be in a high school setting is due to the negative correlation between grade level and LEP enrollment (U.S. Department of Education, 2019). The understanding is that children raised in a home where a language other than English is the primary language, are likely to have that language be their primary language. As students age, those who begin to learn the English language and are adequate enough to pass their district's English assessment, are placed out of LEP and into non-LEP classes. This process is often called reclassification, where students who were once labeled as LEP develop enough English proficiency that they are removed from LEP and placed into a non-LEP program (Kim, 2011). Additionally, the majority of high school LEP students are foreign born (Short & Fitzsimmons, 2007) and generally arrive to this country from starkly different educational systems, usually lacking language proficiency even in their native language (Franguiz & Salinas, 2011).

As LEP children progress through the education system nationally, starting from pre-kindergarten, the number of LEP generally decreases with every year up until 12th grade. (U.S. Department of Education, 2019) The highest rate of LEP enrollment can be seen in the lowest grades, kindergarten and Grade 1 (15.9% and 16%) with the lowest rate of LEP enrollment being seen in the highest grade, grade 12 (4.6%). If the entire public school population is split in between two groups: Pre-Kindergarten through fifth grade and sixth grade through 12th grade, the LEP representation would be 52.6% and 47.4%, respectively (Passel & Fix, 2003). The reason for this drop can most likely be

attributed to two primary factors. First, young LEP students who enter the American education system at the kindergarten level are likely to become fluent English speakers before they enter high school (Saunders & Marcelletti, 2013). Secondly, whoever has not been objectively identified as proficient in the English language by their designated high school are likely to be students enrolled into the American Education system at an older age and have yet to reach the required proficiency level or students who are not able to reach a level of proficiency required to be removed from their school district's LEP program. It is important to remember at this point that the point of this paper is not to separate students by technical variables, but a cultural one. While emphasizing the students enrolled in high schools only increases our chances of finding foreign-born LEP students, there will still be students who are enrolled as high school students in an LEP program who are born in the United States.

Research has indicated that when examining high school LEP Students, an estimated 44% are foreign born and 56% identifying as either second or even third generation Americans. (Capps et al., 2005). While this finding that 44% of high school students are foreign born differs from other studies which indicate that the majority of high school LEP students are foreign born (Short & Fitzsimmons, 2007), it is still a relatively high percent of the student population. It can then be understood that the emphasis of high schools which enroll 9th-12th graders is seeking to target students who are either later arrivals to the country and have yet to become proficient in the English language or a smaller portion of students who were raised in an environment where English was not the primary language and despite however many years of public school education and LEP programming have yet to become proficient in the English Language.

Additionally, the U.S. Department of Education notes which languages are spoken by the LEP students at the national level. As expected, Spanish is the dominant language spoken by LEP students across the nation (see figure 2 below). Spanish speaking LEP students made up 74.8% of the LEP population in the 2017-2018 Academic School year with the second largest language group being Arabic at only 2.7% of the total LEP student population. This study is seeking to examine states which have a historically high Hispanic population, translating into high Hispanic high school students. It is expected that the Hispanic LEP makeup of schools included in this study will likely be higher than the national average of 74.8%.

While this study is seeking to analyze LEP students of all languages and backgrounds, such a high Hispanic makeup of the targeted population indicates the focus will primarily be on students of Hispanic identity. It is important to note that the Hispanic population in America is young, disproportionately low-income, and of limited education attainment (Ramirez & de la Cruz, 2003). Additionally, Hispanics tend to reside in inner city communities (Martinez, 2000) and research indicates that families living in these areas may face heightened levels of social disorganization and lower levels of collective efficacy (Macdonald & Saunders, 2012.) Ultimately, it is important to note that as expected, when discussing LEP students in high schools, particularly in the selected states of this study, we will predominantly be discussing Hispanic-Spanish speaking students. However, it is almost important to note that while the overwhelming majority may be Hispanic Spanish speaking students, other races, and ethnicities of LEP students will be accounted for and considered in this study.

According to the U.S. Department of Education, approximately 3,749,314 (75% of the total population) of LEP students across the nation noted Spanish, Catalan as their Home Language. While this may make up the overwhelming majority, about a quarter of the other LEP students are derived from multiple other Home Languages. In fact, the second most popular Home Language reported by the U.S. Department of Education is Arabic, with 136.531 LEP students (2.7% of the population) and followed by Chinese, with 106,516 LEP students (2.1% of the population). As a result, this study expects to pull an overwhelming majority of Spanish, Catalan Home Language LEP Students, but an array of other students will also be included in the study and are important to note.

Theoretical Reasoning for use of Arrests and Referrals to Law Enforcement

This study seeks to measure levels of on-campus delinquency by using on-campus arrests and referrals to law enforcement incidents. Unlike the previously cited studies of high school delinquency which often use school-level methods of discipline, mostly including suspensions, expulsions or other forms of punishment which can be administered not for actual criminal behavior, but for general behavior which is some sort of violation of the school code of conduct, this study seeks to use a variable which can be seen as a more serious way of measuring deviance on campus. By using arrests and referrals to law enforcement, this study will focus on analyzing behavior which can objectively be seen to be of a higher level of delinquency relative to school-based infractions which are more subjective in nature and which can be administered as punishment among students in a discriminatory manner (Huang and Cornell, 2021; Hasim et al., 2018; Gregory and Roberts, 2017).

Additionally, this study will be combining the incidents of arrests with the incidents of referrals to law enforcement. The reasoning for this is twofold - First, both incidents are by definition measuring delinquency which the school has either deemed beyond their reach where law enforcement is involved or, a law enforcement officer has witnessed what he or she believes to be an illegal activity and has placed a student under arrest. In both incidents, a behavior which can be perceived as criminal behavior is present. Second, in analyzing the data it can be seen that some schools report one of the two. Of particular interest are the New York City High Schools, which all had zero incidents of arrests on campus, but plenty of referrals to law enforcement. Thus, in situations like this, it is likely that districts do not consider arrests on campus, like New York City, and are lumped together with referrals to law enforcement. By combining both of these variables, we create a grouping that is both representative of the on-campus criminal behavior this study seeks to examine and is inclusive of more schools due to methods of recording these incidents.

Dissertation Outline

This study consists of five chapters with what can be seen as the typical dissertation format. Chapter 1 is the introduction chapter, which provides insight into the background of the problem. Chapter 1 will discuss the purpose of the study and its significance. Additionally, this chapter will introduce the variables to be examined and provide a theoretical reasoning for selecting these variables for analysis.

Chapter 2 begins with the literature review regarding immigration and crime in the early stages of the field, and progress until contemporary studies are examined. This chapter will discuss the origins or the proposed immigrant crime nexus from early

empirical studies of crime data and also work on perception of immigrants. Additionally, this chapter will also examine the history of LEP students and their school-based misconduct, the same behavior this study seeks to analyze. The literature review is intended to provide insight into the current state of the topic and determine what possible research topics can be inquired upon to add to the existing body of knowledge that is LEP students and delinquency through the introduction of the proposed research questions.

Chapter 3 is the Methods chapter, which details the overall research design, methodology and data collection. This chapter will discuss the overall design of the study and identify and describe the data being utilized for the study. The variables being analyzed will be identified along with the types of statistical analysis which will be run. Lastly, the chapter will cover any ethical considerations, data storage and safety protocols.

Chapter 4 discusses the results of the data analysis to determine if the original hypothesis or the alternative hypothesis is true. In this chapter, the frequencies and descriptive statistics behind the dataset used in the study will be discussed and analyzed. Additionally, the results of the bivariate correlation will be discussed, along with the results of the simple linear regression analysis and the two independent samples t-test.

Lastly, Chapter 5 is the discussion chapter. This chapter will re-introduce the topic and findings from the study. Implications based on the results of this study will be discussed, along with any real-world implications to the field of criminal justice. This chapter will also discuss any limitations identified by the researchers, as well as suggestions and recommendations for future empirical studies on the topic

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CHAPTER 2
LITERATURE REVIEW

Immigration and Crime in the Earlier Days

Historically, some of the first true empirical associations between immigrants and crime can be seen in the early work of the researchers at the Chicago School nearly a century ago. Social scientists in the Chicago School examined crime in a revolutionary manner by explaining crime in a social context instead of a personal one. Borrowing terminology from the biological sciences, the researchers in the Chicago School developed the term *social ecology* and described cities as undergoing permanent modifications in a constant effort to reach a state of "functional equilibrium" (Burgess, 1925; Park 1936). This modification or reorganization in a city which results in groups of individuals relocating by residence and occupation" (Burgess, 1925) Research by Park and Burgess, (1921) carried a belief that as waves of immigrants assimilated into the American lifestyle, their rates of offending would decrease. The presumption by Park and Burgess (1921) would lead some individuals to assume then those unassimilated immigrants living in America are thus more deviant assimilation into society would help to curve this behavior. This theoretical assumption can be seen as the beginning of the presumed immigrant-crime nexus.

A slew of debunked eugenics literature and legislation can be partially attributed towards the consensus at the time that immigrants were associated with crime. Empirical studies at the time, however, generally illustrated otherwise. Early work on the subject

established early on that natives were linked with higher rates of criminal behavior than immigrants (Gault, 1932) and an increase in immigration to the city of Philadelphia did not bring forth a higher rate of crime (Hobbs, 1943) and almost all groups of foreign-born individuals were lower contributors to the homicide rate when compared to native born citizens (Lane, 1979). Once the idea of studying crime at the empirical level was introduced, Edwin Sutherland, who is noted as being one of the field's most prominent criminologists, began researching the proposed relationship between immigrants and crime.

In perhaps his most contributive work towards the field, Sutherland disagreed with the first part of the century's analysis of crime among immigrants. Instead, Sutherland posited that in fact immigration was not the root of the criminality, but acculturation (Sutherland, 1934). Sutherland reported that evidence existed that second-generation immigrants had higher rates of crime than first-generation immigrants. Additionally, when compared to their counterparts who did not immigrate to America, the examined migrant population to America had higher rates than their peers who remained in their original country (Sutherland, 1934). Furthermore, and particularly of significance to this study, Sutherland also noted that immigrants who came to America as children were imprisoned at higher rates than immigrants who came as adults, indicating that immigrant youth are less likely to offend than non-immigrant youth. The presumption for Sutherland was that as individuals were exposed to American culture and living, they became more criminal than their non-immigrant counterparts. The reason for this, as Sutherland explains, is that as immigrants are exposed to the American lifestyle for longer periods of time, their ability to form significant bonds with more deviant

individuals and learn from this behavior increases. Similarly, if children come to America and are raised with American idealism and in American society, they reflect higher rates of delinquency than their adult counterparts as they absorb such traditions. Thus, for LEP students in high schools today, the theoretical assumption made by Sutherland would be that they would be arrested or referred to law enforcement at a less frequent rate than their non-LEP counterparts.

Furthermore, Sutherland would assume that if one were to compare the rates of arrests and referrals between high school students who were reclassified from LEP students and current LEP Students, we would theoretically see a lower rate of deviance from the LEP students due to the lesser amount of what Sutherland calls Differential Association with the Americanized students. Differential Association is a learning theory of deviance proposed by Sutherland, in which he proposes that through imitate interactions with others, individuals learn the values, attitudes, techniques, and motives for criminal behavior (Sutherland, 1934). Examining the topic through the lens of Differential Association, this study will be analyzing LEP students in states which contain above average Hispanic populations. Thus, considering the connection between Hispanic students and LEP rates (U.S. Department of Education, 2015), the campuses examined will likely contain higher than average rates of LEP enrollment. These higher rates of LEP enrollment would translate into lower levels of differential association between the LEP students and non-LEP students.

Using this ecological approach to explaining crime in their book *Juvenile Delinquency and Urban Areas*, Shaw & McKay (1969 [1942]) sought to account for high levels of crime in urban neighborhoods. Central to their theoretical argument, Shaw and

McKay state that crime is a result of neighborhood characteristics which result in their conductivity or propensity to crime and delinquency. Shaw and McKay argued that as a result of changes in the nativity and national composition in urban communities, these communities are unable to exercise effective social control over members of the community. (Shaw & McKay, 1969 [1942]). As a result of immigration, immigrants who identify with other racial, ethnic and linguistic customs destabilize or disorganize the urban community in which they reside. This theoretical assumption applies to this study in that as new student who are non-English speakers arrive at the American public school system, they are destabilizing the existing community in these high schools. Therefore, the introduction of these students and their cultures via immigration produces an influx of individuals who introduce lower socio-economic levels and demographic heterogeneity into their communities, two elements which Shaw and McKay believe are key factors in the Social Disorganization theory of crime.

Later, Gordon (1964) expounded on this idea by introducing the concept of acculturation, the minority group's adoption of the "cultural patterns" of the host society in which they reside. This theory directly impacts the study at hand, as Gordon (1964) argues that one of the primary "patterns" of acculturation is the acquisition of the English language. This can coincide with the ideas that Sutherland brought in which the notion of acculturation is the fundamental variable to be examined, not immigration. While research exists on the more technical aspects of immigrant identifiers, such as nativity and legal status, research also exists on a more cultural identifier of immigrants - acculturation. Acculturation can be fundamentally seen as the process of change in beliefs, attitudes, values and behaviors as result from conscious interaction between

people belonging to various ethnic groups (Kaplan & Marks, 1990). Acculturation is the modification that can occur when someone and their culture come into contact with another group and begin to take on the language, cultural beliefs, values, attitudes and cultural behavior of the dominant group (Archuleta, 2012). Unlike with assimilation, where the individual attains memories and attitudes from the dominant culture and by sharing these experiences and history, are incorporated into the culture (Park & Burgess, 1924), immigrants who become acculturated in America may still feel separate and distinct from it. Both Gordon and Sutherland lay the groundwork for the intentions of this study, which is to examine the proposed social phenomena of immigration and its impact on crime at the cultural level, not the technical.

Immigration and Crime Today

While historically immigrants, both legal and illegal have been stigmatized by society of the time as criminal, contemporary criminologists who studied the relationship between immigrant status and criminality across multiple variables at the micro and macro level have generally resulted in results which demonstrate that in general, immigrant populations tend to be less criminal when compared to non-immigrants (Bersani 2014; Butcher and Piehl, 1998; MacDonald and Saunders, 2012; Martinez and Lee, 2000; Martinez, 2014; Laurikkala et al, 2009; Sampson et al, 2005). Additionally, scholars posit that as an immigrant's assimilation to the American mainstream culture occurs, their criminality may in fact increase proportionate to their assimilation process (Sutherland, 1934; Lopez & Miller, 2011; Lee et al., 2001).

In considering some of the variances, criminologists have studied the relationship between criminality and immigrant status at the macro level and results show that the increased size of the foreign-born population reduces lethal violence over time (Martinez, Stowell, and Lee, 2010). Research has also been conducted at the individual level which indicates that while criminality is highest for young men, incarceration rates are lowest among immigrant young men even among the least educated and least accultured among them, but they increase sharply among the US-born and accultured the second generation, especially among the least educated" (Rumbaut et al., 2006). Other micro-level studies indicated that second-generation youth were more prone to engage in risky behaviors (delinquency, violence, and substance abuse) than foreign-born youth (Bui and Thongniramol, 2005; Harris, 1999). Thus, the research and both the macro and micro level analysis indicate that immigrant status does not increase one's criminality, but instead may indicate a negative correlation between immigrant status and crime. (Hagan et al, 2008; Sampson and Bean, 2006; Sampson, 2008).

Perception of Criminality for Undocumented or "Illegal" Immigrants

Despite the empirical data and numerous findings that indicate a negative relationship among immigrants and criminality, much of the public still believes a positive relationship exists (Sampson, 2008). One of the numerous reasons that these beliefs are still prevalent is because many of these individuals are basing their conclusions on perceptions of undocumented or illegal immigrants. Per research conducted by Wang (2012), the perceived size of the undocumented immigrating population in a community is associated positively with perceptions of undocumented criminal threat, more than the actual size of the undocumented population. This

conclusion demonstrates that even though data analysis can be conducted that empirically presents a negative relationship, individuals who reject the results do so based on perceptions, not on an ability to refute the findings with contradictory data. Specific to undocumented immigrants, research has shown that they generally do not represent a threat to public safety (Hickman and Suttorp, 2008) yet they are still viewed as the most crime-prone type of immigrant (Buchanan, 2006). When dealing with undocumented or "illegal" immigrants, the existing literature challenges this negative portrayal many Americans continue to believe (Hickman and Suttorp, 2008, Landgrave & Nowrasteh, 2019, Ewing et al., 2015).

Although these perceptions noted above are tied directly to illegal immigration and not general immigration or LEP status of students, the reality is that when a student is labeled as LEP, their legal status becomes a questionable issue. What compounds the issue even further is the fact that schools do not release information on the legal status of their students. As a result, their legal status in the United States of America is a mystery to educators who can only then assume. Considering this shroud of mystery that falls over students, particularly those at the high school level, this perception of illegal immigrants may carry over into the proposed population for this study.

Native Born and Non-Native Born

In regard to nativity and is a relationship to delinquency, research indicates a negative correlation. Using data collected from the UCR in the 1980s, Butcher and Piehl (1998), determined that new immigrants as a whole (non-native born) individuals did not affect crime rates. During the 1980's, cities with higher volumes of immigration did in fact experience higher crime rates. However, controlling for the demographic

characteristics of the cities, recent immigrants appear to not affect the crime rate (Butcher and Piehl, 1998). It is likely that due to the high number of immigrants found in larger cities and those cities high crime rates, a perceived correlation may have been made by the public between immigrants and the high crime rates. Butcher and Piehl (1998) conducted a secondary analysis of individual data of youth and discovered that youth born abroad are statistically significantly less likely than native-born youth to be criminally active. Other research focused on native born compared to foreign born individuals and their criminal involvement have yielded similar results, implying a positive relationship between native born individuals in their rates of delinquency (Bersani, 2014, Bersani et al., 2014).

Even when we consider similar ethnic and racial backgrounds between native and non-native born, there lie differences in their rate of criminality. Chen and Zhong (2013) indicate that this variance can be found even amongst second-generation immigrants, compared to the first generation of immigrants. Thus, as immigrants become more assimilated into the native culture, there is an increase in the likelihood of offending. In a similar study that focuses on victimization by Pottie et al. (2015), it was determined that first generation immigrant students (non-native born) were victimized at a higher rate than their second or third generation immigrant student peers of similar ethnic and racial background (native born). Although different from the intended study of this paper, this study implicates that there exists a difference in the way in which non-native born adolescents experience school in a manner that places them at a higher rate of victimization. The argument can be made that if non-native students are victimized at this

higher rate, then it is logical that native-born students are the individuals engaging in the victimizing acts.

In a study that focused on adult males, instead of adolescents, Rumbaut et al. (2006) measured the institutionalization rates of non-natives and natives, focusing on males 18 to 39, most of whom are in correctional facilities. By using Data from the 5% Public Use Micro Sample (PUMS) of the 2000 census, Rumbaut et al. (2006) state that the incarceration rate of the Native born (3.51 percent) was four times the rate of the foreign-born (0.86 percent). Based on the results of this empirical study, native-born males of this age group are more than four times more likely to be incarcerated for an offense and add to the general body of knowledge that is immigration and criminality.

LEP Student Identification

In 1974, the Supreme Court ruled that a San Francisco school district was not allowed to have a "English-only" policy which denied approximately 1,800 Chinese American students an opportunity to participate in a meaningful or adequate public educational system based on their inability to speak English. A suit was filed by these students (*Lau et al. V. Nicholas et al*, 1974) and as a result, the Supreme Court ruled that non-English speaking students possessed the right to learn in the same environment as their English-speaking counterparts. This Supreme Court decision determined that such practices violated the Civil Rights Act of 1964 which bans discrimination based on the ground of race, color, or national origin in any program or activity receiving Federal financial assistance (Sugarman & Widess, 1974) In making such determination, the stage was set to transform the way the education system handled non fluent English-speaking students. As a result of this, programs for English Limited students were adopted and

developed at a national level and integration of non-English speaking students into mainstream American public-school campuses became a mainstay we see to this day.

When dealing with LEP students, we have to remember that the methodology of identifying and educating LEP students is to some extent dictated by the U.S. Department of Education in regard to general goals and avoidances, however the actual process of completing this task is left to the states and the districts to employ whatever methods best suit their students. One of the primary goals dictated by the U.S. Department of Education is that to the extent reasonable, students shall not be segregated from other students based on their national origin or LEP Students. While some LEP students may be separated for a portion of the day for separate LEP-specific instructions, school districts in general are expected to carry out their LEP programs in a least exclusive possible manner (U.S. Department of Education, 2015). This general inclusion of LEP Students with non-LEP students aids the proposed research in that the heterogeneity of LEP students and non-LEP students in the school is high. More so, if both classifications of students are not segregated, the lived experiences of both students from an environmental standpoint may be more similar than unique.

One of the concerns when dealing with LEP students, is that in classifying them for their English comprehension and proficiency, they may be misclassified as an inability to process language may be misclassified as a disability. To counteract this potential issue, students who are evaluated for LEP are evaluated in the appropriate language needed based on the student's skills. This way, the risk of misclassification is minimized, but there exists the very real situation in which students are classified as both LEP and a disability, in which case the school is federally required to provide services for

both of those statuses. Additionally, when discussing LEP students, we must discuss LEP students who are reclassified, meaning they were once labeled to be LEP but have since been classified as proficient in the English language. In terms of the numbers, 83% of high school LEP students spend their entire time in high school as LEP, or one year less than their entire time. Of the high school students classified as LEP, over half entered the school system between 7th and 9th grade. (Kim, 2011). Thus, high school students who are classified as LEP can be seen to be newer students to the state system they are enrolled in, backing the premise of this paper in using their LEP status as a cultural identifier for immigrant status.

LEP Students and School Related Issues

Given this empirically founded notion that immigrant's status and crime have a negative correlation, one key element missing in these studies is the study of immigrant children. In examining the literature, sparse is the study which examines deviance among immigrant youths. This study seeks to examine this demographic closer by focusing on high school students classified as LEP. Numbering nearly 5 million nationally during the 2013-14 school year, LEP students are a diverse and growing group of K-12 students whose varied linguistic, economic, and cultural backgrounds present unique needs and assets for the school community (U.S. Department of Education, 2013). LEP students are more likely than their English-proficient classmates to live in poverty (Cohen and Clewell, 2005), reside in large, urban settings (Aud et al., 2012), and have parents with low levels of formal education (Arias and Morillo-Campbell, 2008). Given the series of characteristics that describe the LEP student population, it is expected that they likely offend disproportionately. In fact, research has indicated that any racial or ethnic

background fitting such characteristics offend disproportionately. (Davies & Fagan, 2012; Shaw & McKay, 1943). When discussing immigrant children and crime in a school setting, Social Disorganization theory has been an explanation given by some scholars (Thomas and Znaniecki, 1920). One example is the influence of American schools on immigrant children—learning a new language and values generates new desires in children for experiences that the older generation cannot provide, simultaneously reducing parental and communal ability to control their behavior (Thomas and Znaniecki, 1920). Thus, as the students are becoming assimilated into the American mainstream way of life, their desire to learn about such a way of life pushes them away from the norms and values of their parents.

There exists research into LEP students and deviant behavior on high school campuses, although not specific to arrests and referrals to law enforcement. Previous work has empirically shown that LEP Students have consistently lower odds than non LEP students to have school behavior outcomes stemming from emotional disturbance (Bal et al., 2019). In terms of academics, LEP students show a 25% dropout rate, which is even higher than former LEP students who reclassified earlier, which have a dropout rate of 15% (Kim, 2011). Also, students who are noted as LEP at a later stage (high school), tend to have significantly lower performance then their non-LEP counterparts who were reclassified at an earlier year (Kim, 2011). When considering LEP students and their access to school-based programs, research has shown that they are less likely than their non-LEP counterparts to have access to school-based programs (Anyon et al., 2013). This is particularly of importance when considering the limited access of LEP students to programs such as Restorative Interventions, which is designed to be small or large

conferences which may include people affected by the incident directly or indirectly with the goal of developing a plan to repair the harm done by the incident and prevent future incidents. The idea is to introduce an alternative method of punishment and prevention and steer away from traditional methods of academic punishment, such as suspensions, which have been proven to disproportionately impact minority students (Huang and Cornell, 2021; Hasim et al., 2018; Gregory and Roberts, 2017). However, research has shown that LEP students are far less likely to participate in such a program compared to non-LEP students (Anyon et al., 2016), likely due to language and cultural barriers.

Although no current research appears to focus on LEP high school students and their rates of offenses, multiple studies have been conducted on school-based violence in the past with an emphasis on race. Particularly of interest for this study are the studies which examine Hispanic students and their on-campus delinquency, considering the current sample. These studies examine the relationship among racial division and ignore the language variable (Finn and Servos, 2015). Hispanic students show a 2.23 to 1 likelihood of out of school suspensions, while no higher level of misbehavior is displayed (Finnd and Servos, 2015). While these studies give us an idea of what may be expected within an LEP population of students, it fails to depict a picture of English barred students and the cultural identity they may form. The present study being proposed is intended to break the usual lines of racial makeup in studies and focus on a more culturally focused sense of the word immigrant.

The Current Study

The current study is intended to add to the body of knowledge that exists between immigration and criminality. In order to achieve this, this study will examine the

relationship between levels of LEP enrollment in high schools and rates of delinquency on campuses across the nation. Secondary data analysis will be conducted using data obtained from the U.S. Department of Education's Office of Civil Rights. The data set is set to contain variables which will include: total enrollment for the school which will be broken down by grade, the race of students enrolled, the LEP status of students enrolled, as well as a variety of variables which will indicate delinquency on campus, including arrests made while on campus, at a campus-related event or in school transportation to or from campus. Given the existing body of work which has analyzed the proposed immigrant-crime nexus, my hypothesis is that there does exist a statistically significant difference in rates of on-campus delinquency between LEP students and non-LEP students.

Research Questions

1. Does there exists a statistically significant relationship between the rate of LEP enrollment on a campus and the rate of arrests and referrals to law enforcement on the campus?

$H_0$1: There will be a significance relationship between the rate of LEP enrollment on campus and the rates of arrest and referrals to law enforcement on campus

2. Does the rate of LEP enrollment on a high school campus have a significant impact on the rates of arrest or referrals to law enforcement on campus

$H_0$2: There will be a negative linear relationship between rates of LEP enrollment and on-campus rates of arrest and referrals to law enforcement

3. Are LEP students and non-LEP students arrested or referred to law enforcement on campus at significantly different rates?

$H_0$3: LEP students are arrested or referred to law enforcement at a significantly lower rate compared to non-LEP students.

4. Are Hispanic non-LEP students and Hispanic LEP students arrested or referred to law enforcement on campus at significantly different rates?

$H_0$4: Hispanic Non-LEP students are arrested or referred to law enforcement on campus at a significantly higher rate than Hispanic LEP students.

CHAPTER 3

DESIGN OF THE STUDY

Introduction

The study aims to conduct secondary data analysis on data obtained by the U.S. Department of Education's Office of Civil Rights. The Office of Civil Rights has collected the Civil Rights Data Collection (CRDC) since 1968 to collect key education and civil rights issues in our nation's public schools. The CRDC is a universal collection of data related to OCR's civil rights enforcement responsibilities at Pre-K through 12th grade levels, including charter schools, magnet schools or programs, alternative schools, schools serving students with disabilities, and long-term secure juvenile justice facilities. This study will examine high schools across the United States of America for the academic year of 2017-2018, the data for this academic year was released in October 2020. The study is intended to be an exploratory research project focusing on how the rate of LEP student enrollment at a high school can influence rates of campus delinquency.

Research Design

This study will seek to answer the research questions through quantitative analysis. To determine if a statistically significant correlation exists between the rate of LEP students enrolled on a campus and the rates of arrests and referrals to law enforcement, a bivariate correlation analysis will be utilized. However, in order to determine the nature of the relationship between the two variables, a logistic regression analysis will be applied. Additionally, in order to determine if there exists a statistically

significant difference between the rates of offending between the two groups of students, independent samples t test will be utilized to compare these means.

Considering the fact that this is a national dataset, random sampling is not to be required. All schools that qualify for analysis will be represented in the dataset. The 2017-2018 CRDC collected data on a total of 97,632 schools at the national level, including campuses in Puerto Rico. This figure includes every public campus across the nation; however, this analysis will be exclusively examining High Schools which enroll 9th, 10th, 11th, and 12th graders and are located in either California, Texas, Florida, or New York. In removing all schools not located in California, Texas, Florida or New York, the dataset is reduced to 27,728. After the removal of all schools not exclusively enrolling 9th, 10th, 11th, and 12th graders, the data set is reduced to 2,263. Considering the purpose of the study, which is examining the relationship that LEP enrollment on campus has on rates of arrest and referrals to law enforcement, this study will analyze high school campuses which report an enrollment of at least 5 LEP students on their campus and report at least five incidents of arrest and referrals to law enforcement.

After the removal of schools which did not have at least 5 LEP students and at least five incidents of arrests or referrals, the dataset was reduced to 1,133. It is important to note that at this point, all Juvenile Justice associated schools did not indicate data on arrest or referrals to law enforcement. Therefore, thirteen schools, all located in the State of Texas and marked as a Juvenile Justice school were removed. The two schools who reported the highest number of arrests and referrals - Del Valle HS and HamshireFannett HS, reported the same numbers for arrests and referrals, indicating they were potentially treating both variables the same. Additionally, their numbers were more than three times

the third highest school and thus were both removed. The result is a data set of 1,130 High School campuses.

While the data available from the U.S. Department of Education is nationally represented, this study will only be examining data from California, Texas, Florida, and New York. There are multiple reasons behind selecting these states. First, the purpose of this research is to analyze LEP high school students with the understanding that they are cultural immigrants. Figure 2.0 illustrates that according to the U.S. Department of Education, nearly 75% of all LEP students are Spanish speakers. Since we are specifically focusing our attention on LEP Students, this study sought to focus on states which will yield a high amount of LEP high school students by focusing on states which have a high number of Hispanic students. According to the 2020 U.S. Census, the four states with the largest number of Hispanic residents were the four selected for this study. California reported 14,013,719 Hispanic and Latino residents, Texas reported 11,441,717 Hispanic and Latino residents, Florida reported 5,697,240 Hispanic and Latino residents and New York reported 3,948,032 Hispanic and Latino residents (U.S. Census Bureau, 2021).

While California, Texas, Florida and New York do not make up the top four in terms of rate of Hispanic residents (U.S. Census Bureau, 2021), they do have the highest total number of residents who identify as Hispanic or Latino. As a result, this study sought to examine these four states in particular to yield the highest number of Spanish speaking LEP high school students to analyze.

LEP Enrollment

For this study, the independent variable will be the high school's rate of LEP student enrollment. This variable is suitable for analysis because the manner in which LEP students are identified and assessed are similar in all publicly funded schools (U.S. Department of Education, 2015). Most schools use a Home Language Survey (HLS) during enrollment to learn more about the student's language background (first language learned, language spoken in the home, and language most often used). The HLS or a survey tool similar to it would indicate the students who require a more robust LEP assessment to determine if they should be classified as LEP and entitled to be placed in LEP services. These assessments must assess the proficiency of students in all four domains of English (i.e., speaking, listening, reading, and writing). Once identified through assessment tools, LEP students are required by Civil Rights laws to be provided with appropriate language assistance service. Although the Civil Rights laws do not specify any particular program or method of instruction for LEP students, they are required to be educationally sound in theory and effective in practice. (U.S. Department of Education, 2015) Thus the assumption that students identified as LEP across the nation are done so on a similar basis and their rates of enrollment can be comparative on a national level.

The rate of LEP enrollment figures will be determined by dividing the number of LEP enrolled students by the total student enrollment for the campus. This will provide the researcher with a rate of LEP enrollment for each campus across the country. In an effort to omit schools with either no LEP student or too few, only schools which report a minimum of five LEP enrolled students will be examined. While this study seeks to

examine the role that smaller populations of LEP students have on campus, analyzing schools which report zero or fewer than 5 LEP students may skew the data and misrepresent the proportion of offenses committed by Non LEP students in schools where there are virtually no LEP Students. The total student enrollment number will consist of students in grades 9-12, identified as male and female and include all racial groups captured by the Office of Civil Rights. As a measure of controlling for variables associated with any disability, this study will exclude all students who are classified as a student with disabilities.

The result should be a set of high schools which only enroll 9^{th}, 10^{th}, 11^{th}, and 12^{th} graders, not considered a part of the Juvenile Justice program in the state and focus on students who are not classified as disabled. From this population, we will determine the total number of students enrolled on campus, total number of LEP students enrolled on campus and the rate of LEP students enrolled on campus for the 2017-2018 academic year.

Enrollment by Race

A variable which will be examined in this study is the racial diversity on each campus, both for general enrollment and LEP student enrollment. The U.S. Department of Education captures the following races in their dataset: Hispanic, American Indian/Alaska Native, Asian, Native Hawaiian/Pacific Islander, Black, White, and two or more races.

Referrals to Law Enforcement Agency or Official

According to the U.S. Department of Education Office for Civil Rights (2019), a referral to a Law Enforcement Agency or Official is an action by which a student is

reported to any law enforcement agency or official, including a school police unit, for an incident that occurred on school grounds, during school-related events, or while taking school transportation. This variable is selected for this study because unlike other forms of on-campus delinquency, such as suspensions, a referral to a law enforcement agency implies an offense serious enough for the school to seek law enforcement involvement. These referrals then, by nature, imply an offense which occurred on school grounds, during a school-related event or while taking school transportation which was of a nature beyond the school's capacity for discipline.

School-related Arrest on Campus

Similarly, School-related arrest on campus is defined as an arrest of a student for any activity conducted on school grounds, during off-campus- school activities, or due to a referral by any school official. This variable differs from the previously listed variable of referrals, in that an arrest on campus is a result of a peace officer actually placing a student under arrest for a suspected violation of the law.

For this study, both of these variables will be combined and used to measure the level of delinquency which occurs on campus. While these two variables may differ in terms of what they are measuring, they are both indicators of behavior by students which are serious enough to where the school is not able to handle the disciplinary reaction. These two variables are specifically desirable as research on suspension rates is abundant (Aud et al., 2010; Kaufman et al, 2010; Whitford et al, 2016) and a lesser emphasis placed on arrest. An additional reason for selecting these two variables to measure delinquency on-campus is to avoid the cited issue of certain groups being overrepresented in suspension rates (Huang and Cornell, 2021; Hasim et al., 2018; Gregory and Roberts,

2017). This discrepancy in representation of students among racial and ethnic lines in suspension rates is likely due to a cultural difference among values placed on behaviors. Students who behave in a certain manner due to their upbringing may be interpreted by their educators as behaving in a manner which does not align with the educators' ideals not as a result of defiance or deviance, but a misunderstanding (Cruz and Rodl, 2018). In selecting what the authors determine to be more serious variables to measure delinquency, this study seeks to ground itself in the theoretical belief that the criteria for referrals to law enforcement or arrest on-campus are subject to more objective standards. The intention is then to capture behavior on-campus which can be more accurately labeled as criminal, not just mischievous by an educator for previously cited reasons.

Data Transformation

While the noted variables above were available in the dataset, some data transformation had to occur in order to achieve the desired results and analyze the topic of this study. In particular, the original data set did not capture any data on what this study is calling non-LEP students, which are simply students who are not classified as LEP. To achieve data on this population, this study simply subtracted the total number of LEP students on a campus from the total number of students enrolled. The result was considered the total number of non-LEP students on the campus. Additionally, data on the arrests on campus and referrals to law enforcement were not captured for this population but they were captured for the LEP student population. To achieve this variable, the total number of LEP arrests and referrals to law enforcement were subtracted from the total number of arrests and referrals on campus. The results of this simple equation provided an integer which represents the total arrests and referrals on the

campus which were not committed by LEP students. Now armed with a number which represents the total number of arrests and referrals to law enforcement for LEP and non-LEP students, this study sought to calculate the rate of arrests and referrals. To achieve this, the total number of arrests and referrals for each population were divided into their respective populations. The result was each campus having a ratio or rate of arrest and referrals to law enforcement rate for each of the two populations.

Considering the fact that this study examined four separate states, this section will provide information on the school districts and their corresponding states included in the dataset. This information is intended to describe the school districts involved, not how many campuses from each school district are included in the dataset. From the dataset of 1,131, there are a total of 368 unique school districts being represented. Table 1 below displays the aggregate sum school district being represented in each state.

Table 1. Aggregate breakdown of School District Representation by State

State	Number of Districts
CA	155
FL	45
NY	36
TX	132
Total	368

Additionally, of importance is each unique school district that is being represented by each state. While it is logical for larger cities to have a higher number of schools being

represented, the diversity in school districts is equally important. Table 10.0 (see Appendix) lists each school district being included in this study, as well as their corresponding state.

Procedures and Analysis

This section will cover the procedures and analysis for this study. First, all data analysis performed in this study was done using SPSS Statistical Software Package (Version 27) and Microsoft Excel.

Hypothesis 1: There will be a significant relationship between the rate of LEP enrollment on campus and the rates of arrest and referrals to law enforcement on campus.

A bivariate Correlation analysis is used to determine if this relationship is statistically significant. The two variables will be the rate of LEP enrollment (total LEP student number divided by total student enrollment) and the rate of arrests and referrals to law enforcement (total number of arrests and referrals, divided by total number of students on campus). At this level of analysis, a p-value of ≤ 0.05 was used to determine statistically significant findings.

Hypothesis 2: LEP students are arrested or referred to law enforcement at a significantly lower rate compared to non-LEP students.

To compare these two means, an independent sample t-test was utilized. The dataset provided the total amount of arrests and referrals, along with a subset for LEP. The t-test was ran using the rates of arrest and referrals to law enforcement for LEP and non-LEP students at each campus. At this level of analysis, a p-value of ≤ 0.05 was used to determine statistically significant findings.

Hypothesis 3: There will be a negative linear relationship between rates of LEP enrollment and on-campus rates of arrest and referrals to law enforcement.

Linear regression was used to measure the potential linear or predictive relationship between the rate of LEP enrollment on a campus and its total rate of arrests and referrals to law enforcement. The dependent variable in this analysis will be the rate of arrests and referral on campus and the independent variable will be the rate of LEP enrollment on campus. Since the goal of this research question is to focus solely on the rates of LEP enrollment, a simple linear regression using the single independent variable was used.

Hypothesis 4: Hispanic LEP students are arrested or referred to law enforcement at a significantly lower rate compared to non-LEP Hispanic Students.

Since this research question is testing to determine if the variance between two sets of numbers is significantly different, another independent sample t-test will be used. This analysis will be run only using schools which enroll 100% Hispanic LEP students. For the t-tests, the rate of non-LEP Hispanic students arrests and referrals will be compared to the rate of LEP Hispanic student arrests and referrals. To achieve this, the dataset will be minimized to only include schools which enroll 100% Hispanic LEP students, since the data on Hispanic LEP arrest and referral rates are not available.

Ethical Considerations

While this study is analyzing secondary data which is publicly available and not primary data, ethical considerations and protocols must be considered. Although there will be no direct contact with any human subjects, the researcher gained approval from the Institutional Review Board (IRB) as required by the University Research Committee policies established by Texas Southern University. Additionally, the researcher completed the Collaborative Institutional Training Initiative (CITI) program and TOPAZ training prior to beginning any work on this study. This training was design to prepare the researcher for the task of dealing with data and the sensitivity which may surround it. However, since there will be no human interaction and the data is publicly available, there will be no risk to human subjects included in this study. Additionally, the data used in this study is not only publicly available, but also data which is likely known and understood by the individuals who are familiar with these schools or districts and is accessible to any student or parent who is associated with the schools or districts. As a result, very little to no ethical considerations or concerns are anticipated in this study.

Data Storage and Integrity

The study aims to conduct secondary data analysis on data obtained by the U.S. Department of Education's Office of Civil Rights. The office of Civil Rights collects the Civil Rights Data Collection (CRDC) on an annual basis and while there exists a restricted version of the dataset, the dataset used for the purposes of this study is publicly available. As such, no specific safety protocols were exercised when obtaining and storing this data. There exists no data in connection to the dataset which could be cause for concern, including but not limited to e-mails to the Office of Civil Rights, recorded

conversation with anyone at the Office of Civil Rights or any other form of communication that is linked to obtaining this dataset. While the total dataset is available through the Office of Civil Rights Website, there was some data transformation which occurred. However, this transformation of the data did not include any new data which was contributed, but instead the reduction or merging of existing data. Nonetheless, the researcher stored the dataset on a password protected hard drive for security purposes.

Summary

This chapter discussed and outlined the methodology process of determining the variables to be analyzed and the development of research questions to be examined. The data collection section outlines the source of the data being utilized in this study and explains the reason for the usage of certain data. Additionally, this chapter explained the nature of the representation in the data and covered any ethical considerations and data storage integrity involved with the data. Overall, this chapter served to introduce the data which will be analyzed in detail and summarize the selected analysis and procedures that will be employed to address the targeted research question

CHAPTER 4

RESULTS AND DISCUSSIONS

Introduction

The study examined rates of arrests and referral to law enforcement in high schools located in California, Florida, New York, and Texas. Specifically focusing on the rates of arrests and referrals to law enforcement on campus as the variable to measure delinquency and a focus on the rates of LEP enrollment on the campus. Data was collected through the U.S. Department of Education's Office of Civil Rights, which has an annual collection of data on all public schools called the Civil Rights Data Collection. After removing the schools which did not fit the criteria, this study examined a total of 1,130 campuses across the four states during the 2017-2018 school year. Chapter 4 will present the findings of the data analysis guided by the research questions posted in chapter 2. These hypotheses will be tested using bivariate correlation, independent samples t-test and a linear regression.

Descriptive Statistics

While the representation of school districts is important, the representation of individual schools in each state are also important. While the breakdown of schools based on state may be reflective of the size of the population and education system, it is still important to identify the ratio of representation of schools. When the high schools are examined by state, California represents the largest portion of the dataset at about 37% (n=415), followed by Texas with 27% (n=305) of the high schools in the data set, then Florida with 25% of the data set (n=278) and lastly, New York representing the fewest

high school campuses at 12% (n=133) of the data set. Combined, there are a total of 1,131 different high school campuses being analyzed in this study. (See table 2 below).

Table 2. Frequency of High School Campuses in Each State

State	Campuses	Percent
CA	415	37%
FL	278	25%
NY	133	12%
TX	304	27%
Total	1,130	100%

This study purposely selected Texas, California, New York and Florida to analyze due to their Hispanic population. The theoretical reasoning behind this was based on the U.S. Department of Education data stating that 74.8% of all LEP students are Spanish speakers. As a result, these states with a high concentration of Hispanic students were selected for analysis. In selecting these four states, it is expected that the dataset derived from them would yield a higher Hispanic makeup to the total student enrollment compared to the national average. When the dataset of 1,130 campuses is examined by the ethnic/racial makeup of the students (see Table 3 below), we are able to determine

that in fact there exists a 47% representation of Hispanic students (n=960,324) that are enrolled in the selected schools in the dataset.

Table 3. Total Enrollment by Race/Ethnicity

Race	Students	Proportion
Hispanic	960,324	47%
American Indian/Alaskan Native	8,102	0%
Asian	148,811	7%
Native Hawaiian/Pacific Islander	6,165	0%
Black	288,628	14%
White	564,700	28%
2+ Races	52,788	3%
Total	2,029,518	100%

Additionally, considering the selection of the four states, the Hispanic makeup of the LEP population on these campuses is equally expected to be higher than the national average. When the 1,130 high school LEP populations are analyzed by race/ethnicity we see an expected overrepresentation of Hispanic students. (See Table 4 below) Hispanic

students represent about 82% (n=154,801) of the total LEP population, followed by Asian students who represent 9% (n=16,.415) of the LEP population. As a whole population, LEP Students in the dataset represent roughly 9% (n=187,644) of the entire student population.

Table 4. LEP Enrollment by Race/Ethnicity

Race	Students	Proportion
Hispanic	154,801	82%
American Indian/Alaskan Native	540	0%
Asian	16,415	9%
Native Hawaiian/Pacific Islander	596	0%
Black	6,906	4%
White	7,560	4%
2+ Races	826	0%
Total	187,644	100%

As anticipated, the descriptive statistics indicate a higher Hispanic population size in the examined schools with 47% overall Hispanic student representation in the selected

sample. Additionally, and also as anticipated, the Hispanic LEP student make up across Texas, California, New York and Florida consisted of 82% for the selected sample. These descriptive statistics illustrate the racial and ethnic makeup of LEP students. While Hispanic (82%) and Asian (9%) students consisted of approximately 91% of the sample, the remaining 9% consist of LEP students who identify as black, white, 2+ races or Native American/Pacific Islander. Their significance in the study is not to be missed, but the overwhelming majority of LEP students discussed in this study will be Spanish speaking students.

Bivariate Correlation

H_0 (Null Hypothesis): There does not exist a statistically significant relationship between the rate of LEP enrollment on campus and the rates of arrest and referrals to law enforcement on campus.

H_1 (Alternative Hypothesis): There does exist a statistically significant relationship between the rate of LEP enrollment on campus and the rates of arrest and referrals to law enforcement on campus.

Firstly, this study will seek to analyze and determine if there exists a statistically significant relationship between the rate of LEP enrollment and the rate of Arrests and Referrals to Law Enforcement. To measure this relationship, a Bivariate Correlation analysis was utilized (See table 6.0 below) to measure this correlation with an $\alpha = .05$ as criterion for significance. A Bivariate Analysis allows an assessment of how the value of the outcome variable depends on the values displayed by the explanatory variable. By selecting to run a Bivariate Correlation, it is important to note that this research question is not seeking to determine a causal explanation between the two variables, but only a

covariation. Covariation will be found if the rate of LEP enrollment on high campuses and the rate of arrests and referrals to law enforcement on campus present concurrent variations, changing in response to one another (Bertani et al., 2018). The results of the Bivariate Correlation Analysis can be seen below in Table 5.

Table 5. Bivariate Correlation Between the Rate of LEP Enrollment and the Rate of Arrests and Referrals to Law Enforcement

Variable	M	SD	1
1. LEP Enrollment Rate	.102%	.096%	
2. Arrest and Referral to Law Enforcement Rate	1.9%	3.6%	.063*

* $p < 0.05$ (2-tailed); N=1,130

The results of the Bivariate Correlation analysis resulted in a Pearson Correlation level of .063, at the significance level of .034. This correlation is significant at the Alpha level of .05, as our p-value of .034 is lower than the alpha level of .05. Therefore, we must reject the null hypothesis which states that a statistically significant relationship between a High School's LEP Enrollment rate and its Arrest and Referrals to Law Enforcement Rate does not exist and accept the alternative hypothesis which states that a statistically significant relationship does exist between the two variables. While these findings indicate that there does exist a statistically significant relationship between the total number of arrests and referrals on campus and the LEP Enrollment Rate, it does not indicate a causal relationship but instead only a covariance between the two variables (Bertani et al., 2018).

Linear Regression

H_0 (Null Hypothesis): There will be no linear relationship between rates of LEP enrollment and on-campus rates of arrests and referrals to law enforcement.

H_1 (Alternative Hypothesis): There will be a negative linear relationship between rates of LEP enrollment and on-campus rates of arrest and referrals to law enforcement.

When analyzing two quantitative variables, the most relevant technique for bivariate analysis to determine the impact that the independent variable may have on the dependent variable, is simple linear regression (Bertani, Di Paola, Russo & Tuzzolino, 2018). As a result, in order to determine if there exists a linear or predictive relationship between the rates of LEP enrollment on a high school campus and the rates of arrest and referrals to law enforcement on campus, a simple linear regression is utilized with an $\alpha = .05$ as a criterion for significance. The independent variable used is the rate of LEP enrollment, which is the total number of LEP students enrolled on campus divided by the total numbers of students enrolled on the campus. The independent variable is the rate of arrest and referrals to law enforcement, which is the total number of these incidents divided by the entire student body. See table 6 below for results.

Table 6. Simple Linear Regression

Regression Statistics	
Multiple R	0.07
R Square	0.005
Adjusted R Square	0.004
Standard Error	4.00%
Observations	1,130

ANOVA

	df	SS	MS	F	Significance F
Regression	1	89.675	89.675	5.606	0.018
Residual	1129	18058.306	15.995		
Total	1130	18147.981			

	Coefficients	Standard Error	t Stat	P-value	Lower 95%	Upper 95%
Intercept	1.659	0.174	9.541	<.001	1.354	1.975
Arrest and Referral Rate	2.945	1.244	2.368	0.018	0.002	0.046

The Analysis of Variance (ANOVA) resulted in a significant finding (P = .018) at the established Alpha level of .05. As a result, we must reject the null hypothesis which states that there does not exist a significant linear relationship between the rate of LEP enrollment on a high school campus and the rates of arrests and referrals to law enforcement on campus. When conducting the analysis, the Linear Regression resulted in a positive slope (B) of 2.945, indicating that as we increase the LEP enrollment rate by 1%, the rate of arrests and referrals to law enforcement go up by 2.945%. In terms of predictive power, this linear regression resulted in an R Squared value of .004 which indicates that the model is only predicting .04% of the variance in the independent variable. These results indicate that while the model was significant (P = .018) and a positive slope (B = 2.945) was found indicating a positive relationship between rates of LEP enrollment and on-campus arrests and referrals to law enforcement, the low R Squared (R2 = .004) implies it is not predicting 99.96% of the variance within the rates of arrest and referrals to law enforcement on campus. Thus, the result of this analysis is a non-effect finding that indicates that the rate of LEP students on high school campuses is not related to campus arrests and referrals.

Independent Samples T-Test

H_0 (Null Hypothesis): There will be no difference between the rates of Arrests and Referrals to Law Enforcement between LEP students and non-LEP students.

H_1 (Alternative Hypothesis): There is a statistically significant difference between the rates of Arrest and Referrals to Law Enforcement between LEP students and non-LEP students.

While the last two analyses looked at the overall rate of arrests and referrals and total LEP enrollment rate, the nature of the data collected is as such that it can be separated and analyzed as two distinct groups - LEP students and non-LEP students. This was achieved by identifying the total number of arrests and referrals on a campus and the total number of LEP arrests and referrals on a campus. The difference between the two numbers was attributed to non-LEP students, thus creating a rate of offending for each of the two populations on the campus. The rate was determined by dividing their total number of arrests and referrals for each of the two groups by their total population on the campus. In order to examine if LEP students and non-LEP students were being arrested or referred to law enforcement at different rates, an Independent Samples T-Test was conducted with an $\alpha = .05$ as a criterion for significance. See table 7 below.

Table 7. Independent Sample T-Test of the Rate of Offending Between LEP and Non-LEP Students

Logistic Parameter	LEP Students		non-LEP Students		T(2.018.370)	p	Cohens' d
	M	SD	M	SD-			
Arrest and Referral to Law Enforcement Rate	1.481	5.35	1.982	3.735	2.582	0.01	0.109

* $p < 0.05$; N=1,130

Firstly, an independent sample t-test was conducted to compare the differences in rates of arrests and referrals to law enforcement between LEP and non-LEP students in high school. There was a statistically significant difference between the rates of arrests and referrals to law enforcement for non-LEP students (n=1130, M= 1.982, SD= 3.736)

and LEP students (n=1,130, M=1.481, SD= 5.350) Conditions; t(2,018.370)=2.582, p = .010. With a P value of .010, which is below the established alpha level of .05, the results of the independent samples t-test were found to be statistically significant. Considering the results of the independent samples t-tests were significant, we must reject the null hypothesis which states there does not exist a significant difference in rates of arrests and referrals to law enforcement between LEP and non-LEP students and accept the alternative hypothesis which claims there does exist a significant difference.

Independent Samples T-Test - Hispanic LEP and non-LEP Students

H_0 (Null Hypothesis): Hispanic LEP students and non-LEP students are not arrested or referred to law enforcement at significantly different rates.

H_1 (Alternative Hypothesis): Hispanic LEP students and non-LEP students are arrested or referred to law enforcement at significantly different rates.

Although this study is primarily focused on analyzing LEP students as a whole, one of the research points of interest is also the impact that speaking English has on Hispanic students in a school. When we analyze all Hispanic students and separate them into binary groups based on their ability to speak the English language, we are able to analyze the impact that the critical element of acculturation This independent sample t-test will be conducted similarly to the one represented in table 7, however, this analysis will seek to examine campuses that enroll 100% LEP students who are classified as Hispanic. To achieve this, only campuses which reflect 100% of their LEP students as Hispanic were selected for analysis (n=60). The purpose of this analysis was to determine if there existed a statistically significant mean difference within the rates of arrests or referrals for Hispanic high school students' by separating them by LEP status (see table 8

below). To test this, an independent sample t-test was conducted with an $\alpha = .05$ as a criterion for significance.

Table 8. Independent Samples T-Test of Hispanic LEP Students and Hispanic non-LEP Students

Logistic Parameter	Hispanic LEP Students		Hispanic Non-LEP Students		T(116.872)	p	Cohens' d
	M	SD	M	SD			
Arrest and Referral to Law Enforcement Rate	2.648	10.826	5.402	9.810	1.760	.147	.267

* $p < 0.05$; N=60

An independent sample t-test was conducted to compare the differences in rates of arrests and referrals to law enforcement between Hispanic LEP and Hispanic non-LEP students in high school. There was a non-significant difference between the rates of arrests and referrals to law enforcement for Hispanic LEP students (n=60, M= 2.648, SD= 10.826) and non-LEP students (n=60, M=5.402, SD= 9.810) Conditions; t(116.872)=1.760, p = .147. With a P value of .147, which is above the established alpha level of .05, the results of the independent samples t-test were found to be statistically non-significant. Considering the results of the independent samples t-tests were non-significant, we must accept the null hypothesis which states there does not exist a difference in rates of arrests and referrals to law enforcement between Hispanic LEP and Hispanic non-LEP students.

Summary

This chapter conducted a bivariate correlation, independent samples t-tests, and simple linear regression (see table 9 below). The first research question resulted in a rejection of the null hypothesis as a significant relationship between LEP rates of enrollment and on campus arrests and referrals to law enforcement was confirmed. The second research question analyzed determined that there was a statistically significant difference between the rates of arrests and referrals on campus between LEP students and non-LEP students. The third research question sought a predictive relationship between the rate of LEP students and arrests and referrals to law enforcement. The results indicated that there does exist a slight positive relationship between rates of LEP enrollment and arrests and referrals to law enforcement, but the predictive power is minimal and ultimately it is a non-finding result. Lastly, when examining the rates of arrests and referrals to law enforcement between Hispanic LEP and non-LEP students, the results of the data analysis yielded a non-significant finding.

Table 9. Summary of Research Hypotheses

Summary of Research Hypotheses	Results	Analyses
H_0 (Null Hypothesis): There does not exist a statistically significant relationship between the rate of LEP enrollment on campus and the rates of arrests and referrals to law enforcement on campus. **H_1 (Alternative Hypothesis):** There does exists a statistically significant relationship between the rate of LEP enrollment on campus and the rates of arrests and referrals to law enforcement on campus.	There does exists a significant relationship between LEP enrollment rates and on-campus arrests and referrals to law enforcement	Bivariate Correlation

H_0 (Null Hypothesis): There will be no difference between the rates of Arrests and referrals to law enforcement between LEP students and non-LEP students. **H_1 (Alternative Hypothesis):** There is a statistically significant difference between the rates of arrests and referrals to law enforcement between LEP students and non-LEP students.	LEP students are arrested and referred to law enforcement less than non-LEP students	Independent Samples T-Test
H_0 (Null Hypothesis): There will be no difference between the rates of Arrests and referrals to law enforcement between Hispanic LEP students and Hispanic non-LEP students **H_1 (Alternative Hypothesis):** There will be a statistically significant difference between the rates of Arrests and referrals to law enforcement between Hispanic LEP students and Hispanic non-LEP students	The findings were non-significant and therefore, we must accept the null hypothesis	Independent Samples T-Test
H_0 (Null Hypothesis): There will be no linear relationship between rates of LEP enrollment and on-campus rates of arrests and referrals to law enforcement **H_1 (Alternative Hypothesis):** There will be a directional linear relationship between rates of LEP enrollment and on-campus rates of arrests and referrals to law enforcement	Although the findings indicate a positive relationship between rates of LEP enrollment and on-campus delinquency, the predictive power indicated this is a non-finding indicating that the number of LEP students on a campus is not related to rates of arrests or referrals on campus.	Linear Regression

CHAPTER 5

SUMMARY, DISCUSSION AND RECOMMENDATIONS

Introduction

The intention of this study was to examine the relationship between LEP students in high schools and their rates of delinquency. More specifically, the study sought to analyze two primary questions - 1. Does the rate of LEP students on a high school campus impact the rates of arrests and referrals to law enforcement on campus? 2. Are LEP students arrested or referred to law enforcement on campus at statistically significant different rates than their non-LEP counterparts? By using English Proficiency to group students, the study sought to fill a gap in the literature in immigrant criminality. With the majority of the existing body of works using technical variables, such as nativity, legal status, and generational standing (1st, 2nd, 3rd generation immigrants) lesser in numbers are the studies which use cultural variables to identify and group high school students. Thus, this study was designed to contribute to the growing body of work that is immigrant criminality by approaching the immigrant identifying variable through the English proficiency of high school students. In order to examine this issue, this study sought to determine if there existed a relationship between LEP enrollment rates and rates of on-campus arrests and referrals to law enforcement, determine if LEP students significantly differed from non-LEP students in their rates of arrests and referrals to law enforcement, if there exists a significant linear or predictive relationship between the rate of LEP enrollment on a campus and its level of delinquency and, lastly, if there exists a

significant difference in rates of delinquency between LEP Hispanic students and non-LEP Hispanic students.

The first research question was intended to determine a statistically significant relationship between the rate of LEP enrollment and the rate of arrests and referrals on campus. To answer this research question, a bivariate analysis was utilized which yielded statistically significant findings. As expected, the analysis demonstrated that there was a statistically significant covariance occurring between the two variables. However, a Bivariate Correlation does not indicate causation, but merely determines if a significant relationship exists between the two variables. Determining that this relationship exists is the first step in examining the nature of the relationship between the two variables. Thus, at this point, we can at least empirically state that there exists a statistically significant correlation between these two variables.

The second research question was intended to measure and determine the impact that the LEP enrollment rate has on the rate of arrests and referrals to law enforcement on a high school campus. Considering the two variables being examined are both ratio-level continuous variables, the analysis selected to answer this research question was a simple linear regression. The findings indicate that as we increase the rate of LEP enrollment on a high school campus by 1%, the rate of arrests and referrals to law enforcement increases by 2.9%. While a statistically significant result was obtained ($p = 0.18$) through the linear regression, the predicting power was essentially non existing (Adjusted R Square = .004). These findings indicate that LEP enrollment rates on campus only explain about .04% of the variance in the rates of arrests and referrals. This analysis essentially results in a non-finding, which is consistent with previous literature in the

field that suggest that an increase of immigrant populations into a community do not increase the crime rate (Bersani 2014; Butcher and Piehl, 1998; MacDonald and Saunders, 2012; Martinez and Lee, 2000; Martinez, 2014; Laurikkala et al., 2009; Sampson et al., 2005).

Additionally, these findings are also consistent with previous literature on Hispanic students which posit that the Hispanic population in America is young, disproportionately low-income, and of limited education attainment (Ramirez & de la Cruz, 2003). Additionally, Hispanics tend to reside in inner city communities (Martinez, 2000) and research indicates that families living in these areas may face heightened levels of social disorganization and lower levels of collective efficacy (Macdonald & Saunders, 2012.) These findings are significant to mention in the results section, since Spanish speaking students make up 82% of the LEP students in the selected sample for this study (see figure 5.0) It is thus reasonable to consider that while we are controlling for social factors to a large extent by comparing the two groups at the school level, we must also note that high school boundaries and communities which are zoned to them can be large. Thus, schools with higher concentration of LEP students (82% of which will be Hispanic), may be schools located in the previously mentioned types of environments which would be conducive to delinquent behavior. Ultimately, the findings for this research question help contribute to the proposed immigrant-crime nexus by concluding that the increase of LEP students on a high school campus has no real impact on the rates of arrests and referrals to law enforcement on that campus, backing previously held literature which states identical findings.

The third research question moves from examining the high school campus and the rates of arrests and referrals as a whole and moving towards comparing the rates of arrests and referrals to law enforcement by LEP and non-LEP students on each campus. To achieve this, this study determined a rate of arrests and referrals to law enforcement for LEP and non-LEP populations on each school for each of the 1,130 campuses in the dataset. The logic behind obtaining a rate of offending for each campus was to ensure that the mean of each group of students is controlled for each campus. To determine if a statistically significant difference existed among the rates of arrests and referrals between LEP and non-LEP students, an independent sample t-test was conducted. After the 1,130 campuses were analyzed, it was determined that a statistically significant difference did exist between the two groups and their rates of arrests and referrals. LEP students demonstrated a mean rate of arrest and referrals of 1.4871 and non-LEP students demonstrated a mean rate of arrests and referrals of 1.982. This difference in means was statistically significant with a p-value of .01, indicating that the difference between the two was real and not a result of random variance. These findings are significant because they corroborate previous literature which states that immigrants in general do not offend more than non-immigrants, but in fact, may even commit acts of delinquency at a lower rate (Bersani 2014; Butcher and Piehl, 1998; MacDonald and Saunders, 2012; Martinez and Lee, 2000; Martinez, 2014; Laurikkala et al., 2009; Sampson et al., 2005).

Similarly, to the third research question, the fourth research question was designed to also examine LEP and non-LEP students, but with the added element of only examining Hispanic students. For this research question, this study examined Hispanic arrests and referrals on campus and only used schools which enrolled 100% Hispanic

LEP students, granting this research the ability to compare Hispanic students after separating this on their English-speaking ability. In order to determine if a statistically significant difference between the two groups of Hispanic students existed, an independent sample t-test was conducted. While the analysis demonstrated a higher rate of arrests and referrals for Hispanic non-LEP students (M = 5.402) compared to Hispanic LEP students (M = 2.648), the p-value for the analysis was .147, indicating the difference between the means of the two groups did not meet the established alpha level of .05.

Implications

This study is completed at a time when the topic of immigration is as popular as ever, both domestically here in the United States of America but also abroad. Although the notion that immigrants have a higher propensity towards crime can be seen from the earliest of days of immigration, this perception has survived to this day and is believed by a large portion of Americans (Alba et al., 2005; Ousey and Kubrin, 2009). As a result of this idealism, scholars in the field of criminology, criminal justice and sociology have worked to place this claim under the scrutiny of empirical studies. While the majority of the studies have yielded findings which indicate that not only does this proposed immigrant-crime nexus not exist, but in fact, it is likely that immigrants are responsible for less crime than their native born counterparts (Bersani 2014; Butcher and Piehl, 1998; MacDonald and Saunders, 2012; Martinez and Lee, 2000; Martinez, 2014; Laurikkala et al., 2009; Sampson et al., 2005). The present study differed from previous work in the field by using the LEP variable to identify high school students who can be classified as "cultural immigrants" through their non-proficient English-speaking ability, as opposed to technical variables such as nativity or legal status. This manner of culturally

identifying immigrant students is less frequently seen in the field, thus granting an alternative approach of studying the proposed immigrant-crime nexus. The results of this study align with the previous literature on the topic and suggest that individuals identified as immigrants offend at a lower rate than their non- immigrant counterparts and the rate of enrollment of students who cannot speak English have no real impact on the rates of arrests and referrals to law enforcement on a campus.

While this study is not intended to be an analysis on the educational system or its practices, there are implications to be derived in the field of school safety and juvenile delinquency on high school campuses. It is well known in the field of education that truancy, weak school commitment and poor academic performance are not only indicators of continued school-based delinquency, but adult criminality as well (Graham and Bowling, 1996; Sarnecki, 1985; Stouthamer and Loeber, 1988; Thornberry et al., 1985). Therefore, this study and its findings not only contribute to the existing body of work in the field of immigrant criminality, but they provide an alternative approach to identifying students as cultural immigrants and using this identity to group them for analysis.

Conclusion

The study was intended to analyze the proposed immigrant-crime relationship in a different perspective, that of English proficiency of high school students. To determine proficiency, the national usage of LEP (limited English Proficient) status was utilized to separate the students on a campus into binary groups. This study used national data collected by the U.S. Department of Education during the 2017-2018 Academic year to determine the following research questions`1. if there existed a relationship between LEP

enrollment rates and rates of arrests and referrals to law enforcement on campus, 2. The nature of the relationship between LEP enrollment rates and rates of arrests and referrals to law enforcement on campus, 3. determine if there exists a statistically significant difference in the rates of arrests and referrals between LEP and non-LEP students and, 4. determine if there exists a statistically significant difference between the rates of arrest and referrals to law enforcement for Hispanic students on high school campuses.

This study highlights critical factors associated with the proposed immigrant-crime nexus as well as school safety issues involving LEP students. First, this study found that on average, LEP high school students are arrested and referred to law enforcement at a lesser frequency than their non-LEP peers. Secondly, this study found that the rate of LEP enrollment in a high school did have a significant relationship with the rate of arrests and referrals to law enforcement. However, the results of the linear regression determined that although there was a significant positive relationship between LEP enrollment levels and arrests and referral rates, the predictive power of LEP enrollment rates was only .04% of the variance in the rates of arrests and referrals on campus. Thus, this study found that the rate of LEP student enrollment on a high school campus had no real impact on the rate of arrests and referrals to law enforcement. Overall, the findings suggest that as research has previously indicated (Bersani 2014; Butcher and Piehl, 1998; MacDonald and Saunders, 2012; Martinez and Lee, 2000; Martinez, 2014; Laurikkala et al., 2009; Sampson et al., 2005), LEP high school students are less delinquent than non-LEP students and when examining their impact on the campus as a whole, an increase of LEP students does not result in an increase of arrests or referrals

Limitations and Future Research

There are several limitations to this study that will require addressing. In these limitations exists an opportunity for future research to examine the impact that LEP students have on delinquency in their campus. First, the unit of measurement for this study is at the school level. As such, the study is utilizing aggregate data for the campus and is missing the more in-depth variables that may be acquired when examining the variables at the student level, as opposed to at the school level. The decision to use data at the school level is appropriate for this study, as it is intended to examine deviant behavior on four-year high school campuses across the United States of America. The intention is to seek macro-level evidence of a relationship between levels of LEP student enrollment and levels of delinquency on campus. Future research with a more micro-focus on the students themselves may be able to better identify variables and determine more specific factors which may explain the behavior in a more significant manner. Also, the inclusion of high schools across the United States of America may fail to distinguish state-specific issues involving LEP students. It is possible that in analyzing four states simultaneously, we are not differentiating the impact LEP students may have in more or less immigrant populated states. Future research on the subject of LEP students and on campus delinquency may benefit from a state specific examination, particularly in states with higher or lower rates of LEP students. While the study intends to add to the body of knowledge that is the immigrant-crime nexus, there exists the potential that the sample may not be representative of state or even district specific issues involving LEP students.

Another limitation to the study is the use of grade levels in grouping students for analysis. While only schools which consist of 9^{th}, 10^{th}, 11^{th}, and 12^{th} grade students are

examined, analyzing students using grade levels is not considering their variance in age or the impact in differences in age can have on behavior. In some instances, it is possible that students may have skipped a year or were held back a year or more, thus this project groups students who may be 13 years old with students who may be 19 or older. Examining students at specific ages as opposed to grades may yield different and more specific results. Another issue with using schools which solely enroll 9th, 10th, 11th and 12th graders is that we are ignoring campuses which enroll these students but limit the grades. Of the four states examined, it is possible that the use of campuses which solely enroll 9th graders, often referred to as 9th grade centers, will have an impact. If a 9th grade center which enrolls solely 9th graders is found in a district, this means that the sister high school which enrolls the 10th, 11th and 12th graders to follow will not be listed in the data set, as it would be missing the 9th graders and be omitted from this study.

Another potential limitation to the study is the combination of on-campus arrest and on-campus referrals to law enforcement. While this study combines the two with the intention of capturing serious incidents of delinquency on-campus, the difference between the two variables is significant. A referral to law enforcement is when the school believes law enforcement involvement is required as a response to a behavior while an on-campus arrest is actually a law enforcement officer arresting a student for a crime he suspects occurred on campus. The justification for the combination between the two is derived from two primary reasons. First, it is likely that these two variables are connected in that a referral to law enforcement may in fact, result in an on-campus arrest. While certainly not all referrals will yield this result (and not all arrests yield from referrals) but

some more certainly will. Secondly, since this study is examining data across four states, how these incidents are recorded appears to differ by state and often by schools. Most notably, the New York City School System does not record rates of on-campus arrests for any of their campuses, only referrals to law enforcement. In combining the two variables, we are able to include more schools by not eliminating schools which do not report or the other of the variables in this study.

On a similar note, the nature of the relationship between law enforcement and schools may be a limitation in this study. While most public high schools report police presence from local law enforcement or from their own school districts police force (Appleseed, 2010), this study does not differentiate between the schools which use either one. Thus, it is possible that there exists a significant impact between having a school district police department assigned to a high school instead of having an outside department stationed there. Theoretically, it is plausible to assume that the role filled by each officer in the school could have an impact on the number of arrests and referrals which were produced on the campus. If, say, a school district officer receives student-specific training and a non-school district officer does not, the result could be that schools which employ and train their own law enforcement officers could resolve a student conflict without resorting to arrests or a referral being placed. Considering that this study and the examination of the high school campuses does not differentiate between the types of law enforcement on campus, it is possible that this is a limitation in the study. In the inverse, it is possible that having school district officers placed in schools may increase student-officer interactions and result in higher rates of arrests or referrals (Appleseed, 2010). As a result, future research involving any arrests on campus should strongly

consider examining the type of law enforcement on campus and the impact it may be having on the rates of arrests and referrals amongst the students.

The usage of LEP in comparison to non-LEP students in this study is another limitation and a source of potential future research. Missing in this analysis are what are known as reclassified as fluent English proficient (RFEP) students. These students are the ones who were initially classified as LEP students but were able to reclassify as fluent English proficient students and be removed from their LEP program (Saunders & Marcelletti, 2013). Although the purpose of this study was to focus on students who are at the high school level and considered to be non-proficient in the English language, RFEPs can be seen as a grey space between LEP students and students who were never classified as LEP, often referred to as non-LEP students. Although technically no longer classified as LEP and rightfully grouped with non-LEP students, RFEP's are a special group which should be focused on in future research into rates of arrests and referrals on high school campuses. Particularly of interest would be LEP high school students and RFEP high school student comparisons.

Lastly, and perhaps most importantly, there is the issue of discrepancy of LEP program operations. These differences can be found at the state level and even within school districts in a state (Saunders & Marcelletti, 2013). Although the schools examined in this study are located in four separate states, there exists federal guidelines which help shape and direct the goals of states. These guidelines are intended to help guide states in their methods of both identifying and placing LEP students into an LEP program and reclassifying them once they have obtained the appropriate level of proficiency. The states are given leniency in implementation with the belief that they will implement and

operate in a manner which is educationally sound in theory and effective in practice. Given this approach, it is almost certainly true that there will be a discrepancy in the quality and methods of LEP programs on a state-by-state basis, even a district-by-district basis. Considering this, another limitation identified in this study is the national usage of LEP enrollments, as some students classified as LEP in one school may not be classified as LEP in another if the criterion differs. It is possible that some methodology of applying LEP services to students may be more impactful in some states across the nation or even districts within a state. In this case, it is entirely possible that students are being placed out of LEP status more quickly in some schools and kept in LEP programs in less productive schools.

APPENDIX

APPENDIX A

SCHOOL DISTRICTS AND STATES REPRESENTED IN THE DATA

School Districts and States Represented in the Data

State	School District	State	School District
CA	Acalanes Union High District	CA	Madera Unified
CA	Alvord Unified	CA	Manteca Unified
CA	Antelope Valley Union High	CA	Mariposa County Unified
CA	Apple Valley Unified	CA	Martinez Unified
CA	Atascadero Unified	CA	Mendota Unified
CA	Baldwin Park Unified	CA	Merced County Office of Education
CA	Banning Unified	CA	Milpitas Unified
CA	Barstow Unified	CA	Modesto City High
CA	Berkeley Unified	CA	Mojave Unified
CA	Birmingham Community Charter High School	CA	Monterey Peninsula Unified
CA	Brea-Olinda Unified	CA	Moreno Valley Unified
CA	Bret Harte Union High	CA	Morgan Hill Unified
CA	Calaveras Unified	CA	Mt. Diablo Unified
CA	Capistrano Unified	CA	Murrieta Valley Unified
CA	Carlsbad Unified	CA	New Haven Unified
CA	Caruthers Unified	CA	Oakland Unified

CA	Centinela Valley Union High	CA	Oroville Union High
CA	Central Unified	CA	Oxnard Union High
CA	Central Union High	CA	Palisades Charter High
CA	Chaffey Joint Union High	CA	Palm Springs Unified
CA	Charter Oak Unified	CA	Palo Verde Unified
CA	Chino Valley Unified	CA	Paradise Unified
CA	Chowchilla Union High	CA	Paso Robles Joint Unified
CA	Claremont Unified	CA	Perris Union High
CA	Cloverdale Unified	CA	Petaluma Joint Union High
CA	Clovis Unified	CA	Pittsburg Unified
CA	Colton Joint Unified	CA	Placer Union High
CA	Conejo Valley Unified	CA	Pleasanton Unified
CA	Corona-Norco Unified	CA	Pomona Unified
CA	Cutler-Orosi Joint Unified	CA	Porterville Unified
CA	Del Norte County Unified	CA	Poway Unified
CA	Delano Joint Union High	CA	Ramona City Unified
CA	Desert Sands Unified	CA	Ripon Unified
CA	Dinuba Unified	CA	Riverside Unified

CA	Dos Palos Oro Loma Joint Unified	CA	Sacramento City Unified
CA	Downey Unified	CA	San Bernardino City Unified
CA	Dublin Unified	CA	San Diego Unified
CA	East Side Union High	CA	San Francisco Unified
CA	El Dorado Union High	CA	San Jacinto Unified
CA	El Monte Union High	CA	San Juan Unified
CA	Elk Grove Unified	CA	San Leandro Unified
CA	Escondido Charter High	CA	San Lorenzo Unified
CA	Eureka City Schools	CA	San Luis Coastal Unified
CA	Fairfield-Suisun Unified	CA	San Mateo Union High
CA	Folsom-Cordova Unified	CA	San Ramon Valley Unified
CA	Fontana Unified	CA	Santa Ana Unified
CA	Fort Bragg Unified	CA	Santa Barbara Unified
CA	Fowler Unified	CA	Santa Cruz City High
CA	Fremont Unified	CA	Santa Maria Joint Union High
CA	Fremont Union High	CA	Santa Rosa High
CA	Fresno Unified	CA	Santa Ynez Valley Union High
CA	Fullerton Joint Union High School District	CA	Selma Unified

CA	Galt Joint Union High	CA	Sequoia Union High
CA	Gilroy Unified	CA	Shoreline Unified
CA	Granada Hills Charter High	CA	Sonoma Valley Unified
CA	Green Dot Public Schools	CA	South Monterey County Joint Union High
CA	Grossmont Union High	CA	South San Francisco Unified
CA	Hacienda La Puente Unified	CA	Temecula Valley Unified
CA	Hanford Joint Union High	CA	Torrance Unified
CA	Healdsburg Unified	CA	Tracy Joint Unified
CA	Huntington Beach Union High School	CA	Tustin Unified District
CA	Jefferson Union High	CA	Upper Lake Unified
CA	Jurupa Unified	CA	Vacaville Unified
CA	Kerman Unified	CA	Val Verde Unified
CA	Kings Canyon Joint Unified	CA	Valley Center-Pauma Unified
CA	Kingsburg Joint Union High	CA	Victor Valley Union High
CA	Lake Elsinore Unified	CA	Visalia Unified
CA	Lake Tahoe Unified	CA	Vista Unified
CA	Lassen Union High	CA	Washington Unified
CA	Lemoore Union High	CA	West Covina Unified

CA	Liberty Union High	CA	Whittier Union High
CA	Lindsay Unified	CA	William S. Hart Union High
CA	Livermore Valley Joint Unified	CA	Windsor Unified
CA	Lodi Unified	CA	Woodlake Unified
CA	Lompoc Unified	CA	Woodland Joint Unified
CA	Los Angeles Unified	CA	Yosemite Unified
FL	Alachua	CA	Yucaipa-Calimesa Joint Unified
FL	Baker	FL	Manatee
FL	Bay	FL	Marion
FL	Brevard	FL	Martin
FL	Broward	FL	Nassau
FL	Charlotte	FL	Okaloosa
FL	Citrus	FL	Okeechobee
FL	Clay	FL	Orange
FL	Collier	FL	Osceola
FL	Dade	FL	Palm Beach
FL	Desoto	FL	Pasco
FL	Duval	FL	Pinellas

FL	Escambia	FL	Polk
FL	Flagler	FL	Putnam
FL	Gadsden	FL	Santa Rosa
FL	Hendry	FL	Sarasota
FL	Hernando	FL	Seminole
FL	Highlands	FL	St. Johns
FL	Hillsborough	FL	St. Lucie
FL	Indian River	FL	Suwannee
FL	Lake	FL	Volusia
FL	Lee	FL	Walton
FL	Leon	FL	Washington
NY	Arlington Central School District	NY	New York City Public Schools
NY	Bethlehem Central School District	NY	North Colonie Csd
NY	Canandaigua City School District	NY	Northport-East Northport Union Free School District
NY	Churchville-Chili Central School District	NY	Pine Bush Central School District
NY	Cohoes City School District	NY	Riverhead Central School District
NY	Corning City School District	NY	Rome City School District
NY	Croton-Harmon Union Free School	NY	Rush-Henrietta Central School

	District		District
NY	Deer Park Union Free School District	NY	Saugerties Central School District
NY	Fayetteville-Manlius Central School District	NY	Schenectady City School District
NY	Fulton City School District	NY	Shenendehowa Central School District
NY	Glen Cove City School District	NY	South Country Central School District
NY	Goshen Central School District	NY	Suffern Central School District
NY	Greece Central School District	NY	Syosset Central School District
NY	Horseheads Central School District	NY	Uniondale Union Free School District
NY	Hyde Park Central School District	NY	Utica City School District
NY	Indian River Central School District	NY	Vestal Central School District
NY	Islip Union Free School District	NY	Westhampton Beach Union Free School District
NY	New Visions Charter High School for The Humanities Iii	NY	Yonkers City School District
TX	Abilene ISD	TX	Huffman ISD
TX	Aldine ISD	TX	Humble ISD
TX	Alief ISD	TX	Hutto ISD
TX	Angleton ISD	TX	Judson ISD
TX	Aransas County ISD	TX	Katy ISD

TX	Austin ISD	TX	Keller ISD
TX	Barbers Hill ISD	TX	Killeen ISD
TX	Bastrop ISD	TX	Klein ISD
TX	Belton ISD	TX	La Joya Independent School District
TX	Boerne ISD	TX	La Vega ISD
TX	Bovina ISD	TX	Lake Worth ISD
TX	Brazosport ISD	TX	Lancaster ISD
TX	Brooks County ISD	TX	Life School
TX	Brownsboro ISD	TX	Lindale ISD
TX	Brownsville ISD	TX	Mansfield ISD
TX	Bryan ISD	TX	Marble Falls ISD
TX	Burleson ISD	TX	Marshall ISD
TX	Burnet CISD	TX	Mesquite ISD
TX	Canyon ISD	TX	Midland ISD
TX	Carrollton-Farmers Branch ISD	TX	Midway ISD
TX	Castleberry ISD	TX	Mission CISD
TX	Clear Creek ISD	TX	Montgomery ISD
TX	Cleburne ISD	TX	Mount Pleasant ISD

TX	Cleveland ISD	TX	Nacogdoches ISD
TX	Clint ISD	TX	New Caney ISD
TX	Columbia-Brazoria ISD	TX	North East ISD
TX	Comal ISD	TX	Northside ISD
TX	Commerce ISD	TX	Northwest ISD
TX	Connally ISD	TX	Pasadena ISD
TX	Conroe ISD	TX	Pflugerville ISD
TX	Copperas Cove ISD	TX	Port Arthur ISD
TX	Corpus Christi ISD	TX	Presidio ISD
TX	Corsicana ISD	TX	Prosper ISD
TX	Cypress-Fairbanks ISD	TX	Red Oak ISD
TX	Dallas Independent School District	TX	Refugio ISD
TX	Decatur ISD	TX	Richardson ISD
TX	Deer Park ISD	TX	Rio Grande City CISD
TX	Del Valle ISD	TX	Robstown ISD
TX	Desoto ISD	TX	Rockdale ISD
TX	Devine ISD	TX	Round Rock ISD
TX	Dickinson ISD	TX	Rusk ISD

TX	Donna ISD	TX	San Angelo ISD
TX	Duncanville ISD	TX	San Antonio ISD
TX	Eagle Pass ISD	TX	Santa Fe ISD
TX	East Central ISD	TX	Schertz-Cibolo-U City ISD
TX	Ector County ISD	TX	Seguin ISD
TX	Edgewood ISD	TX	Southwest ISD
TX	Edinburg CISD	TX	Splendora ISD
TX	El Paso ISD	TX	Spring Branch ISD
TX	Flour Bluff ISD	TX	Spring ISD
TX	Fort Bend ISD	TX	Stafford Msd
TX	Fort Worth ISD	TX	Sweetwater ISD
TX	Frenship ISD	TX	Tatum ISD
TX	Friendswood ISD	TX	Terrell ISD
TX	Garland ISD	TX	Texarkana ISD
TX	Gatesville ISD	TX	Texas City ISD
TX	Gonzales ISD	TX	Tomball ISD
TX	Goose Creek CISD	TX	Tyler ISD
TX	Granbury ISD	TX	United ISD

TX	Grand Prairie ISD	TX	Victoria ISD
TX	Hallsville ISD	TX	Waco ISD
TX	Hamshire-Fannett ISD	TX	Waller ISD
TX	Hempstead ISD	TX	Weslaco ISD
TX	Hereford ISD	TX	Whitehouse ISD
TX	Hillsboro ISD	TX	Willis ISD
TX	Houston ISD	TX	Zapata County ISD

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