Discipline Disparities:

A Research-to-Practice Collaborative

Discipline Disparities Series
Executive Summary

DISCIPLINE DISPARITIES SERIES:

KEY FINDINGS

MARCH 2014

Disparities in school discipline are a serious problem. Frequent use of disciplinary removal from school is associated with a range of negative student outcomes, including lower academic achievement, increased risk of dropout, and increased contact with the juvenile justice system. Over 40 years of research has consistently found that particular student groups—especially Black males—have disproportionately received exclusionary discipline, placing them at increased risk of experiencing those negative outcomes. Disciplinary disparities have also been documented for girls of color; students with disabilities; Hispanic/Latino students; and students who identify as lesbian, gay, bisexual, transgender, and gender non- conforming. Disproportionality in discipline cannot be fully explained by higher rates of student misbehavior or the challenges associated with poverty. Hence, a more complete understanding of where and why disparities occur and developing approaches that effectively reduce both overall use of exclusionary discipline and the discipline gap, is an urgent national priority. Yet reducing the use of exclusionary discipline and eliminating disparities is possible and is beginning to happen in many places across the country.

In order to support the work of disparity reduction, the Discipline Disparities Collaborative (Collaborative)—an inter-disciplinary, multi-state, and highly diverse group of nationally recognized researchers, advocates, funders, content experts, and practitioners—engaged stakeholders across the country on both the problem of and solutions to disparities in discipline. Through meeting face-to-face with educators, parents, policymakers, researchers, youth service workers, and community-based leaders, and supporting new research, the Collaborative has developed a set of comprehensive briefing papers grounded in research and the lived experiences of stakeholders. The papers describe the problem of disciplinary disparities, and provide guidance on creating more equitable disciplinary systems. A brief description and key findings of those papers are described below.

How Educators Can Eradicate Disparities in School Discipline: A Briefing Paper on School-Based Interventions

By Anne Gregory, James Bell, and Mica Pollock

Designed primarily for educators, advocates, and others interested in school- and community-based interventions, this briefing paper describes approaches schools and communities are using across the country to reduce disparities.

- **Seeing school discipline through an equity lens.** It cannot be assumed that efforts to improve schooling overall will change differential treatment in discipline or change differential access to learning opportunities. Indeed, it is possible to reduce exclusionary discipline without changing disparities. As schools and educators engage in disciplinary reform, reducing disparities must be an explicit goal undergirding the design, implementation, and outcomes of that work.

- **School discipline reform is connected to the rest of schooling.** Under-resourced schools face tremendous challenges in providing an exceptional education for all students. Real barriers to providing such an education for all students exist when schools and students have unequal access to quality teaching, a rigorous and meaningful curriculum, funding, or other factors related to positive student outcomes. Effective schools move away from blaming individual educators for discipline disparities and consider the conditions for learning and the school climate more broadly.

- **Effective school systems and contexts take steps to prevent disciplinary disparities.** Disparities are not inevitable. Schools can prevent or reduce excessive exclusion and disparities in discipline through school climates that establish supportive relationships, promote academic rigor and support for all students, provide high-level learning opportunities, engage in teaching that responds and connects to students' real lives, and create inclusive and fair classrooms.

- **Educators can effectively intervene in conflict when it does occur.** Even given the most effective preventative strategies and approaches, conflict will still occur in schools. When conflict among students or between students and staff occurs, schools need tools to be able to respond in a constructive and equitable manner. Rather than merely applying consequences, effective schools seek to identify the root cause of conflicts and disruption; engage in collective problem-solving; intentionally engage students, communities and their families in identifying causes and solutions; and implement effective re-integration efforts for students.

Eliminating Excessive and Unfair Exclusionary Discipline in Schools: Policy Recommendations for Reducing Disparities

By Daniel Losen, Damon Hewitt, and Ivory Toldson

This briefing paper offers local, state, and national decision-makers specific policy change recommendations, grounded in what is known about the extent of, and reasons for, exclusionary discipline and disciplinary disparities.

- **School removal is too often a response to minor rule-breaking.** While there is no question that circumstances require students to be removed from schools for safety purposes, too many of our nation's public schools no longer reserve school exclusion for only the most serious offenses and dangerous situations. Attending school is one of the surest and most consistent predictors of academic achievement and strongest deterrents to juvenile delinquency. We need better policies to ensure that school exclusion is only used as a measure of last resort, and to reduce the disparate harm to historically disadvantaged youth.

- **Collect, publicly report, and use discipline data.** Policymakers should require states and districts to publicly report disaggregated data annually in order to determine if policy and practice changes are working. Those data—disaggregated by race/ethnicity, gender, English Language Learner status, disability status, and sexual orientation—should at a minimum include the number of students suspended, the number of suspensions, reasons for out-of-school suspensions, and instructional days lost at the elementary, middle, and high school levels. The ability to analyze cross-sectional data (e.g., Black female students with disabilities) is also important.

- **Encourage alignment of discipline policies with educational mission and goals**. Recommendations include (a) ensuring the new federal guidance pertaining to "disparate impact" is used to spur improvements in policy and practice, (b) improving federal oversight of the requirement that states intervene where districts have large disparities in discipline, (c) codifying the priority of addressing excessive discipline and disparities when the Elementary and Secondary Education Act (ESEA) is reauthorized, (d) leveraging competitive grants to promote remedies to excessive and disproportion- ate discipline, and (e) promoting the replication of state and district school codes of conduct that restrict the use of suspensions to a measure of last resort is important.

- **Provide support and funding for evidence-based and promising alternatives.** Funding should be prioritized to expand evidence-based or promising practices that reduce an overreliance on exclusionary discipline and reduce disciplinary disparities. New research funding (similar to what the Institute for Educational Sciences has already begun) and support for local initiatives at the federal and state levels can be used to create and document systemic improvements in disciplinary disparities, and scale up successful models. Ensuring that funding for alternative schools, school police, or other security mechanisms are not prioritized over methods with greater evidence of effectiveness.

New & Developing Research on Disparities in Discipline

By Russell J. Skiba, Mariella I. Arredondo, and M. Karega Rausch

Written primarily for researchers and philanthropic/governmental funders, this briefing paper describes the results of the most recent research on disciplinary disparities, and identifies the most pressing research and investment priorities.

- **Research continues to show that students of color, especially African American males and students with disabilities, are at higher risk for suspension and expulsion, and that such disparities impact a number of other groups as well, including females of color, Hispanic/Latino students, and LGBT students.** New research continues to find no evidence that use of out-of-school suspension and expulsion is due to poverty or higher rates of misbehavior among Black and Hispanic/Latino students; rather, available evidence continues to show that students of color are removed from school for similar or lesser offenses compared to their peers. Intersectional research finds that risk factors for suspension and expulsion are additive, with Black males with a disability having the highest exclusionary rates by far.

- **Out-of-school suspension, expulsion, and school-based arrests place students who are disproportionately represented at increased risk of a variety of negative school and life outcomes, including academic disengagement, dropout, and incarceration.** Disciplinary disparities mean that certain students—African American males in particular—are at a heightened risk for a variety of negative outcomes, including course failure and academic disengagement. Moreover, new longitudinal research reports strong associations with negative long-term outcomes: one study finds that being suspended even once in 9th grade is associated with a two-fold increase in dropping out of school, and another reported that more than one-third (33%) of males suspended for 10 or more days had been confined in a correctional facility. Notably, engaging in delinquency or crime occurred only after the first time students reported being suspended from school.

- **Evidence-based and promising systemic interventions that reduce exclusionary discipline are emerging, but more research is needed on interventions that specifically target reductions in disciplinary *disparities*.** New research demonstrates that the use of exclusionary discipline can be reduced through a focus on interventions that emphasize relationship building, structural changes in school policies and systems, and enhancing student social and emotional skills. While a number of interventions have been shown to enhance school safety while reducing rates of suspension and expulsion, there are fewer interventions that have been shown to reduce disparities in discipline as well. *My Teaching Partner, Restorative Practices*, and the *Virginia Threat Assessment Guidelines* are among the few evidence-based examples of disparity reduction currently available.

- **New investments and research are needed to understand the extent of, and reasons for, disparities for some groups, and interventions that create greater equity.** More information is needed on the extent of, and reasons for, disparities in discipline for a number of student groups, including Native American students, LGBT students and girls, and more research is needed to explain the inconsistent findings for disparities among Hispanic/Latino students. Most importantly, more research is needed to identify, develop, and evaluate effective approaches specifically designed for reducing disciplinary disparities. A number of important questions could be regarded as priorities for research and funding, including: *What malleable school factors and interventions show the most promise for reducing disparities? Is disciplinary equity best achieved through interventions that primarily focus on changing disciplinary systems, such as the implementation of PBIS, or through whole-school change efforts, such as new disciplinary, academic, human capital, and special education delivery systems? How do school-based practitioners respond to state, district, and school disciplinary policy changes? What resources are needed to change disparities?* The complexity of the issue requires sophisticated methodologies, such as use of multivariate and multilevel models, mixed methods approaches, and participatory/action research with educators as co-investigators.

One of our clear national goals is to close the achievement and opportunity gap in education. Yet achievement and discipline are inextricably linked: The achievement gap cannot be eliminated unless we also close the discipline gap. Research continues to demonstrate that the choice to use exclusionary discipline does little to improve school conditions and places students at increased risk for both short- and long-term negative consequences. In contrast, an emerging database shows that better understanding and addressing disciplinary disparities based on race/ethnicity, gender, ability, and sexual orientation results in stronger and safer schools and communities. Many states and communities are taking bold steps to reduce disparities while keeping students safe to learn. Yet achieving greater disciplinary equity at scale remains an urgent priority that will require the collaborative efforts of educators, parents, policymakers, community organizations, and funders, so that we maximize the chances for all students, especially those who have been most marginalized, to achieve success in school and in life.

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[1] More complete descriptions and full citations for each study can be found in the full briefing paper available online at rtpcollaborative.indiana.edu

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EXECUTIVE SUMMARY

How Educators Can Eradicate Disparities in School Discipline:
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Anne Gregory, James Bell, and Mica Pollock

March 2014

The Research to Practice Collaborative, supported by the Atlantic Philanthropies and the Open Society Founda-tions, has convened diverse stakeholders—advocates, educators, juvenile justice representatives, intervention agents, researchers, and policymakers—in a series of meetings from 2011 to 2013. Our goal was to counteract disparities in both discipline and juvenile justice system involvement by supporting educators in building aca-demically rigorous and engaging schools strengthened by diversity, rooted in cooperation, committed to strong and sustained relationships, and attentive to bias or disparity across lines of race/ethnicity, gender, sexual-ity, disability and/or immigration status. The brief summarized here enumerates interventions that classroom teachers can use to manage behavior and establish bias-free classrooms and respectful school environments.[1]

The number of students issued suspensions in U.S. schools continues to be extremely high, meaning thousands of students are missing school every day. Simultaneously, disparities in school suspension continue to worsen, indicating that students in some groups are missing school far more often and disproportionately (particularly, boys, African Americans, students with disabilities, and in some regions, Latinos and, American Indians). These disparities are also true of referrals to law enforcement and school-based arrests nationwide. According to recent data collected by the Department of Education's Office for Civil Rights, students of color made up 75% of referrals to law enforcement and 79% of school-based arrests, even while students of color comprise 39% of the nation's public school population.

Research also shows that highly punitive discipline is often not as "necessary" as some might think: for ex-ample, the most common reasons for suspension and law enforcement referrals are for infractions seemingly unrelated to school safety. Further, the same student behavior may be viewed differently depending on who exhibits it. Disparities in discipline are greatest in more "subjective" categories of infraction (some educators may see a student behavior as defiant and others as innocuous). More objectively determined indicators (e.g., a student either hit a peer or didn't) tend to be applied more fairly. Regardless of the type of behavior, however, educators can make efforts in conflict prevention and intervention both to prevent disparities and to reduce overall rates of punitive discipline.

Moving beyond Punitive Discipline to Conflict Prevention and Conflict Intervention

In this brief, we present research-based principles to support educators in moving toward a diverse community of highly engaged student and staff learners, grouped into the categories of "Conflict Prevention" and "Conflict Intervention." The likelihood of conflict is reduced (prevention) when schools create diverse communities of motivated, invested, and engaged learners. Yet in all communities, some conflict is inevitable. When conflict happens, it can be addressed in a constructive and equitable manner (intervention). Such constructive respons-es to conflict reduce unnecessary discipline, teach students appropriate alternatives, and build a school climate that is ultimately stronger. Interventions should resolve and educate, rather than deport or discipline.

This briefing paper describes a variety of concrete strategies that can be used in schools to address disparities in discipline, including:

Principles of Conflict Prevention

Research suggests that to prevent unnecessary discipline and to prevent the overrepresentation of particular groups of children and adolescents in school discipline, educators can equitably offer all students:

- Supportive Relationships (Forge authentic connections with all students)
- Academic Rigor (Promote the potential of all students, hold high expectations, and provide high-level learning opportunities)
- Culturally Relevant and Responsive Teaching (Teaching that responds respectfully to students' real lives)
- Bias-free Classrooms and Respectful School Environments (Create inclusive, positive classroom and school environments in which students feel fairly treated)

Principles of Conflict Intervention

Research suggests that when discipline problems arise, educators can engage in equity-driven:

- Inquiry into the Causes of Conflicts
- Problem-solving Approaches to Discipline
- Recognition of Student and Family Voice and their Perspectives on Conflicts' Causes and Solutions
- Re-integration of Students after Conflict

Conclusion

Districts and schools across the nation are engaging in long-term change to transform their approaches to school discipline. Equity-oriented principles and examples of conflict prevention and intervention can help guide the change. Schools that prevent punitive discipline responses increase children and adolescents' access to supportive relationships, academic rigor, and culturally relevant and responsive teaching. Reducing unnecessary or unequal discipline requires transforming instruction and school practice overall to promote all students' academic, social-emotional, and behavioral development. It requires educators rethinking how staff members interact with youth and how youth treat each other. It requires new interactions between schools and other agencies, including juvenile justice—interactions focused on supporting youth development rather than punishing students primarily through exclusion.

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[1] More complete descriptions and full citations for each study can be found in the full briefing paper available online at rtpcollaborative.indiana.edu

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Eliminating Excessive and Unfair Exclusionary Discipline in Schools
Policy Recommendations for Reducing Disparities

Daniel Losen, Damon Hewitt, and Ivory Toldson

March 2014

I. School Removal is Too Often a Response to Minor Rule-breaking:

There is no question that there are circumstances where removing a student from a classroom is necessary for safety reasons, to de-escalate a conflict, or to pursue an intervention outside the classroom with the support of an administrator, a counselor, parent(s), or community members. We also know that attending school is one of the surest and most consistent predictors of academic achievement and strongest deterrents to juvenile delinquency. Too many of our nation's public schools no longer reserve school exclusion for only the most serious offenses and dangerous situations. We need better policies to ensure that school exclusion is only used as a measure of last resort, and to reduce the disparate harm to historically disadvantaged youth.[1]

Frequent suspensions increase dropout risks and juvenile justice involvement, and severely impair our economy: The potential impact from being suspended, even once, can be devastating. Excessive discipline is also associated with higher economic costs to the schools and community in the near term because of the increased risk for grade retention, dropping out, and juvenile justice involvement, not to mention the lifelong increases in crime and welfare costs associated with school dropout. To quantify these costs, economists in Texas reported that 60% of all Texas middle school students had been suspended from the classroom, which caused an estimated 13% increase in dropouts. Researchers estimated that additional dropouts would cost the state of Texas of between 700 million and 1 billion dollars annually.

Historically disadvantaged youth are most harmed: This brief is about how these counter-productive approaches disparately harm historically disadvantaged students. Specifically, the harm from excessive removal from school flows along the lines of race, class, gender, sexual orientation, and disability status, and exacerbates inequity in educational opportunity.

The discipline data on disparities are not accessible: Most parents, school board members, and policymakers do not realize just how often our public schools suspend students these days because most states do not publish this information on an annual basis as they do test scores and graduation rates. And where they do, often they do not disaggregate the data by race/ethnicity, gender, disability, or English Language Learner status.

Disparities have widened dramatically since the 1970s: Across the nation, in just one year—2009-10—nearly one out of every four Black students in middle and high school was suspended at least one time. Although a marginal decline from 2009-10 rates is predicted, the current rates reflect a tremendous increase since the early 1970s when the number of students suspended was about half of what it is today.

School policy and practice drives the differences: Among the most important research-based conclusions is that these stark differences in suspension use are caused by differences in school policy, school leadership, and other factors that educators can control. While poverty and other factors do appear to contribute, studies that controlled for differences in student behavior, race, and poverty found that school-controlled factors are among the strongest predictors of both frequency and disproportionality in the use of suspension.

II. Excessive Disciplinary Exclusion Harms Some Groups of Children More than Others:

Annual suspension rates don't come close to describing the extent students experience suspension throughout their schooling careers: While approximately 5% of students are suspended during a given year, longitudinal research indicates that between one-third and one-half of students experience at least one suspension at some

point between kindergarten and twelfth grade. Black males are particularly at risk, with nearly 70% receiving at least one suspension or expulsion during their K-12 schooling years. In addition, males are often suspended two or three times more often than females, students with disabilities are suspended at double the rate of their non-disabled peers, and secondary students tend to be suspended at two to three times the rate of elementary students.

Figure 2: National cross-sectional analysis of disparities in risk for out-of-school suspension: Students with disabilities further disaggregated by race and gender.
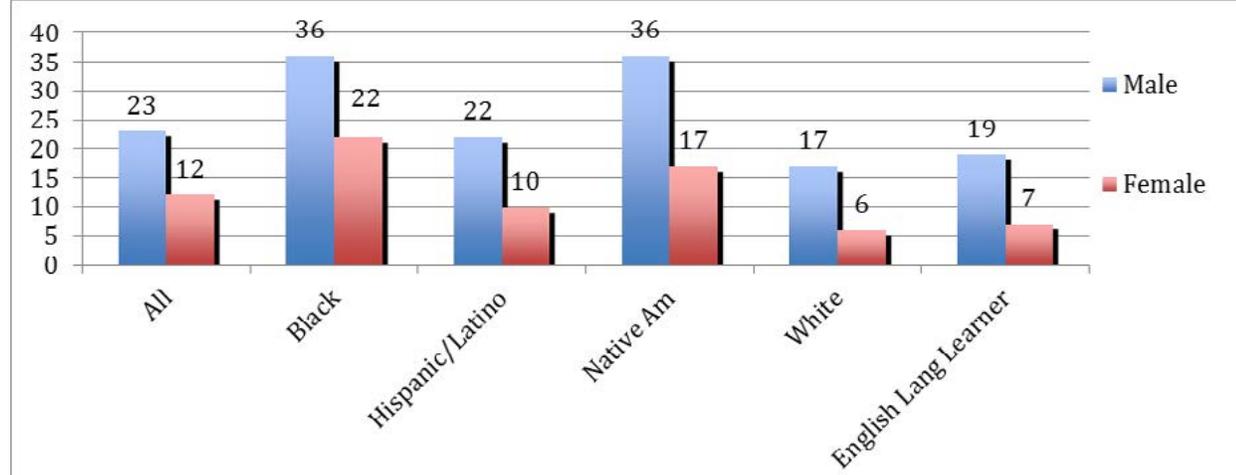
Data Source: CRDC, 2009-2010; numbers from national sample rounded to whole numbers.
Analysis and graph: Losen & Martinez, 2013, p. 11; Native American rates modified to reflect OCR estimates.

A cross-sectional analysis of gender and disability data yields the most extreme disparities: Cross-sectional analysis reveals the risks for students across several dimensions and alerts us to even larger and more disturbing disparities. For example, a nationwide analysis for the 2009-10 school year, shows that at the secondary school level 36% of all enrolled Black males with disabilities were suspended at least once. That is 30 percentage points higher than the suspension rate for White females with disabilities. As noteworthy is that the second highest suspension risk among secondary students with disabilities was for Black females.

Latinos and English Language Learners (ELLs) also experience significant disparities. The disparate rates for ELLs and Latinos are perhaps most obscured when the elementary school data are joined with the secondary school data.

Profound disparities are also found in rates of expulsion and school-based arrests where the life consequences are severe. For example, while African-American students represent 18% of students in the Civil Rights Data Collection, they represent 42% of referrals to law enforcement while in school.

LGBTQ youth also experience rates of educational and criminal-justice punishments disproportionate to their rates of behavior.

For example, LGBTQ-identified youth are approximately 50% more likely to be stopped by the police than other youth.

III. There are Effective and Promising Alternatives to Exclusionary Discipline and Interventions That Can Reduce Racial Disparity

Many schools and districts have effective policies in place: The data demonstrate that many individual schools and districts can and do create orderly, safe, and productive learning environments without excessive disciplinary exclusion. In fact, an analysis of high and low-suspending secondary schools suggests that 60% employ more effective alternatives. In sheer numbers, approximately 8,000 secondary schools from nearly 4,000 districts suspended fewer than 10% of every major subgroup enrolled.

Interventions that show promise for reducing exclusionary discipline can improve the conditions for learning for all students:

Recently, U.S. Assistant Secretary Deborah Delisle, Office of Elementary and Secondary Education, stated "We are finding that … those schools that have been rapidly improving through our school improvement grant program are those that focused on building relationships first…" Research on what works suggests that improving the quality of relationships in the school community is of paramount importance.

(1) Restorative (justice) practices have effectively reduced suspensions and disparities: Restorative Practices seek to replace a punitive approach to discipline with a more constructive, collaborative, and humane approach that embraces all members of the community, including those who break the rules. Central to the concept of accountability is repairing any harm caused to victims and making the community whole, and doing so in a manner that also addresses the needs of the offenders so they are less likely to misbehave in the future. Research findings of success are growing. For example, a six-year study of the Denver Public Schools, where restorative practices were adopted system-wide, suspensions were reduced, racial disparities in discipline narrowed, and achievement levels consistently rose.

(2) Teacher training programs focused on student engagement can boost achievement and reduce discipline disparities: For example, a randomly controlled study showed that a program called "My Teacher Partner"—a program designed to improve teacher-student relationships and student engagement—increased student achievement and significantly reduced both the frequency of suspensions and racial disparities in discipline.

3) Investments in social and emotional learning strategies are more effective than investments in security hardware: Following a school shooting, the Cleveland Metropolitan School District initially invested in stringent security measures such as metal detectors and school police. But these efforts did not yield any benefits in perceptions of safety or achievement. However, improvements were documented among Cleveland schools that invested in Social and Emotional Learning. Between 2008 and 2011, those schools that replaced the suspension system with a learner-center approach dramatically reduced suspensions while improving the sense of safety.

(4) Tiered interventions strategies and non-punitive protocols show great promise: Using non-punitive systematic protocols in schools in response to students' threats of violence without resorting to zero-tolerance suspensions in Virginia was shown to effectively reduce suspensions for all students and helped narrow the gap between Black and White students.

IV. Federal and State Policy Recommendations

Annually Collect, Publicly Report, and Use Discipline Data:

Federal policy should require states and districts to publicly report disaggregated data annually. Data on disparities in discipline are the kind of evidence needed to determine if policies or practices are effective or promising. The public's right to know, and important input from community groups, researchers and other education reformers are constrained if disaggregated data are not reported each year. These data should include: the number of students suspended, the number of suspensions, reasons for out-of-school suspensions, and days of lost instruction, at each school level (elementary, middle, and high). The reported data should be disaggregated by race/ethnicity, gender, English Language Learner status, and disability status, and enable cross-sectional analysis (e.g., Black female students with disabilities).

Expand current federal reporting requirements: Current federal requirements are limited to annual state reports of racially disaggregated discipline data, and only for students with disabilities, at the state level, pursuant to IDEA U.S.C. Section 1418 (a). The law also calls for states to compare, in each district, the discipline of students with disabilities to those without. To ensure states have the capacity to fulfill the statutory obligation to make comparisons, the Secretary of the U.S. Department of Education should require annual reporting of students without disabilities as well and expand the reporting to include school and district level reports. Similarly, the Secretary should use his authority pursuant to civil rights statutes to require schools and districts to annually report the discipline data collected by the civil rights survey that is currently conducted every other year.

Collect data on the discipline of students by sexual orientation: For all the same reasons, it is imperative that the federal government annually collect and report discipline data on youth willing to self-identify their sexual orientation. Although it does not yet satisfy these important collection and reporting needs, the Department of Education's new requirement to report data on bullying and sexual orientation is a tremendous first step in the right direction.

Encourage Alignment of Discipline Policies with Educational Mission and Goals

Ensure the new guidance pertaining to "disparate impact" is used to spur improvements in policy and practice: The Departments of Education and Justice's guidance calls attention to the disparate harm that results from disparities in discipline, and the possibility that failure to change harsh policies and practices in the face of more effective alternative approaches could constitute a violation of civil rights. The goal of civil rights law under the "disparate impact" approach is to ensure that schools shift to more effective and educationally justifiable practices. To ensure optimal use of the new guidance the federal government should commit more funds for federal monitoring and enforcement in this area. Those funds could be used to hold regional webinars on what the guidance means, add analysts to enhance the capacity of the Office for Civil Rights (OCR) and the Department of Justice (DOJ) to enforce current requirements, increase technical assistant support to districts, and increase staffing to respond to the interest in discipline reform on the part of schools and districts.

Improve federal oversight of the requirement that states intervene where districts have large disparities in discipline: Similarly, the current IDEA requires (20 U.S.C. 1418(d)) states to analyze the racial data on disparities in discipline for each district and large disparities may trigger support for coordinated early intervention services. Recently, however, the Government Accounting Office (GAO) criticized the U.S. Department of Education for allowing states to use such a high bar to define "significant disproportionality" that, in many states, no districts are ever required to take action to address racial disparities. Consistent with OCR's new guidance, the Department of Education should ramp-up enforcement of these existing IDEA requirements.

Codify the priority of addressing excessive discipline and disparities when the ESEA is reauthorized: The Elementary and Secondary Education Act has no safeguards against excessive discipline. When this omnibus education act is reauthorized, all agree that the accountability structures will be revised. Many reformers have called for a better balance between test scores, graduation rates, and other outcomes. The new accountability structure should also safeguard against incentives to "push out" low achievers on disciplinary grounds. Therefore, suspension rates should be among the factors schools and districts use to measure the performance of secondary schools and also be included in "early warning" systems to target supportive interventions. To the extent that multiple indicators of progress are developed, discipline levels and disparities should be included. Additionally, "turn-around" schools should be required to include safeguards against excessive and disparate exclusionary discipline.

Leverage federal competitive grants to promote remedies to excessive discipline. It should be noted that important conditions have been added to the requirements for the 16 school districts that received Race to the Top-District grants. More should be done to leverage competitive grants to incentivize revisions of school discipline codes to align with effective and promising disciplinary practices.

Use the numerous improvements in state laws and regulations as models. Maryland now requires interventions when suspension rates and disparities exceed a threshold. Connecticut legislators passed a law meant to ensure that out-of-school suspension was always a measure of last resort. In Colorado, state policymakers directed state education dollars to Denver that enabled the district for system-wide implementation of restorative practices. Similarly, reductions in suspensions and disparities in Virginia prompted the state to require the use of threat assessment and a protocol designed to prioritize prevention over punishment. Other states should pass similar legislation or regulation.

Replicate state and district school codes of conduct that restrict the use of suspensions to a measure of last resort: Some administrators have testified that their efforts to eliminate suspensions as a way to deal with minor misbehavior in school can improve attendance and the overall school environment. For example, in Baltimore City, Executive Director of Student Safety and Support, Karen Webber-Ndour recently stated that ending suspensions for attendance and other minor code violations helped prioritize improvements in school climate. In Los Angeles, California—the nation's second largest school district—the school board ruled out the use of suspension in response to the catch-all and highly subjective category of "disruption or willful defiance." Given research showing that the disparities by race and disability status are largest in the minor misconduct categories, efforts to restrict suspension to only the most serious misconduct are expected to help reduce suspensions generally as well as disparities in their use.

Provide Support and Funding for Evidence-based Alternatives

Invest in research on remedies: The Institute for Educational Sciences has already begun to support these efforts and they should be expanded, including funds for research on how to scale up successful models. States should also provide greater support for research on promising, evidence-based interventions and targeting more funds for systemic improvements in approaches to school discipline.

Provide funding to expand evidenced-based practices: These should include funding for restorative practices, social-emotional learning, tiered interventions and positive protocols. Our research indicates that funding for evidence-based teacher training and preparation programs and professional development aimed at promoting higher levels of student engagement and improved relationships between teachers and students is also warranted.

Condition support for School-wide Positive Behavior Interventions and Supports on remedying discipline disparities: The Individuals with Disabilities Education Act currently provides grants to states and districts to invest in School-wide Positive Behavioral Interventions and Supports (SWPBIS). SWPBIS is a well-established systemic and data-driven approach to improving school learning environments, emphasizing changing the underlying attitudes and policies of school staff concerning how student behavior is addressed. Research has shown that this approach can reduce rates of student referrals to the office on disciplinary grounds. However, the most recent research findings suggest that schools and districts will be more effective in reducing both suspensions and racial disparities if they revise their school codes to align with the positive and constructive framework of PBIS and adapt the PBIS framework to pay specific attention to the data on race and ethnicity and take measures to ensure that the systems of discipline are multi-culturally responsive. Federal and state grants to districts to support positive behavioral approaches should include incentives to ensure that implementation and monitoring also includes attention to disparities.

Ensure that new funds for school police or counselors do not prioritize police before counselors: Ensure that schools and districts seeking to use these funds for policing and security demonstrate adequate counseling, mental health support, teacher training in classroom and behavior management, as well as general improvement in school climate.

Provide safeguards against problems with over-reliance on alternative schools: Alternative disciplinary schools, in theory, might help persistently misbehaving students stay in school if they receive academic instruction and interventions that teach successful behaviors. This is one reason that advocates for children in states like Massachusetts have successfully pressed for required alternative instruction for students. However, disciplinary alternatives that cluster misbehaving students and lack necessary supports and engaging curricula could also contribute to long-term negative outcomes. One longitudinal analysis of data from alternative schools in a large urban district documented their failure and suggests that such placements contribute to racial disparities in discipline and entrance into the juvenile justice system.

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1 More complete descriptions and full citations for each study can be found in the full briefing paper available online at rtpcollaborative.indiana.edu

Discipline Disparities:

A Research-to-Practice Collaborative

Discipline Disparities Series Executive Summary

EXECUTIVE SUMMARY

New and Developing Research on Disparities in Discipline

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Introduction

Our understanding of disciplinary disparities continues to grow and become more sophisticated; yet significant gaps in the research base remain. Through its *Collaborative Funded Research Grant Program* and support of a national conference on disciplinary disparities, *Closing the Discipline Gap*, the Discipline Disparities Collaborative has generated new research to increase what is known about disparities and disparity-reducing interventions. *New & Developing Research on Disparities in Discipline* describes findings from those efforts and new research.[1]

What Have We Learned About Disparities?

School discipline continues to be used inequitably, and disparities cannot be explained by different rates of misbehavior or poverty. Students of color and students with disabilities continue to be at higher risk for suspension and expulsion compared to their peers. African American males and African Americans with a disability continue to have the highest risk of student removal. While not as extensively documented compared to African American students, Native American/Alaskan Native students also have very high rates of removal. New research also finds significant disparities for girls of color, with African American and to some extent Hispanic/Latino girls at high risk of suspension and expulsion compared to their peers, and finds that LGBT students experience exclusionary discipline, hostile school climates, and contact with the juvenile justice system more often than their peers. Research continues to find that disparate rates for students of color cannot be fully explained by higher rates of disruptive or dangerous behavior, or the overlap of race and poverty. If anything, new research continues to find that students of color are removed from school for similar or lesser offenses compared to their peers.

Hispanic/Latino disproportionality varies by level, helping to explain previously inconsistent results for that population. Two recent studies find no disproportionality or even under-representation for Hispanic/Latino students at the elementary level, yet by middle and high school, Hispanic/Latino students experience significant overrepresentation.

Suspension is often the first step in a chain of events leading to short- and long-term negative academic and social consequences. Even while controlling for a number of socio-demographic factors, suspension is strongly related to a number of negative outcomes including academic disengagement, failing high school courses, dropping out of school, truancy, and contact with the justice system. Notably, suspension itself may be a risk factor for future contact with the justice system: one study finds that students report engaging in delinquency or crime occurred only *after* the first time they were suspended from school. Disciplinary removal predicts grade retention, costing states significantly more money for each year of additional instruction as well as delayed workforce entry. Moreover, suspended students are less likely to vote and volunteer in civic activities after high school.

Commonly relied-upon interventions, such as security measures or alternative placements, are often less effective than assumed, and can exacerbate racial/ethnic disparities. Often viewed as a disciplinary solution, alternative school placement in elementary school strongly predicts subsequent juvenile detention within four years, and high usage of security measures is associated with greater disparities for African American students even after controlling for differences in student behavior.

Schools have the power to change their rates of exclusion. New research finds that while socioeconomic status or type of behavior does not fully explain racial/ethnic disparities, school factors and practices, such as a principal's perspectives on discipline and school achievement level, contribute significantly to discipline gaps and school safety.

School-level inequity in discipline and juvenile justice may be related, with devastating consequences. Racial disproportionality in out-of-school suspension is a strong predictor of similar levels of racial disparity in juvenile court referrals, even when controlling for levels of delinquent behavior, poverty, and other demographic variables. LGBT youth, girls in particular, experience about twice as many arrests and convictions as girls engaged in similar behavior. Youth in juvenile facilities are at heightened risk of sexual victimization and future criminal behavior, and a high percentage (70%) of youth who committed suicide while confined, were imprisoned for nonviolent offenses.

What Have We Learned About Reducing or Eliminating Disparities?

Interventions that focus on strengthening teacher-student relationships can lead to reductions in use of exclusionary discipline, particularly for African American students. A teacher professional development program (*My Teaching Partner*) that focused on teachers' interactions with students resulted in less use of exclusionary discipline with all students, and reduced exclusionary discipline the most for African American students. Effective implementation of *restorative practices*—systems designed to build relationships and repair harm after wrongdoing—finds that exclusionary discipline can be reduced and racial disciplinary gaps can be narrowed.

Some structural and comprehensive interventions can reduce the use of exclusionary discipline and discipline gaps, but in some cases specific attention to issues of race, culture, and difference may be necessary to reduce disparities. Use of a systematic protocol that responds to students' threats of violence without immediately resorting to use of exclusionary discipline (*Virginia Threat Assessment Guidelines*) has been found to reduce suspensions and reduce discipline gaps between Black and White males. While implementation of PBIS continues to demonstrate strong reductions in discipline, reductions in racial/ethnic disparities continue to be mixed, prompting some researchers to call for expanded PBIS models that include cultural considerations. The Cleveland Metropolitan School District's efforts to improve safety, order, and the conditions for learning resulted in large declines (58.8%) in district-wide use of out-of-school suspensions and increases in other positive student outcomes, but disciplinary disparities remained.

What Do We Still Need to Know About Disparities?

A number of gaps in our knowledge remain on the extent of, and reasons for, disparities for under-researched groups, such as LGBT students, English Language Learners, gender nonconforming students, Native American students, and girls. The field can also benefit from knowing more about additional factors that account for inconsistent findings for Hispanic/Latino students, and the impact of increased law enforcement and security technology on disparities, given their growing popularity in some states and locales.

Perhaps the most important gap is in the development and documentation of disciplinary gap-closing interventions. *What malleable school factors and interventions show the most promise for reducing disparities? What are the classroom dynamics and structures that lead to disciplinary disparity reduction? Is disciplinary equity best achieved through interventions that focus on disciplinary systems or through whole-school change efforts? How do school-based practitioners respond to state, district, and school disciplinary policy changes? What resources are needed to change disparities?* Finding answers to these and other key questions is essential in learning how to create equitable disciplinary systems.

Conclusion

While our understanding of disparities in school discipline has significantly advanced over the last few years, significant gaps remain, especially in identifying research-validated strategies and interventions that close disciplinary gaps. As the consequences of ineffective exclusionary practices and the impact of those practices on marginalized groups become increasingly evident, research-based guidance on approaches that eliminate disparities is an urgent priority.

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1 More complete descriptions and full citations for each study can be found in the full briefing paper available online at rtpcollaborative.indiana.edu