

**The School Discipline Consensus Project:
Improving Students' Academic Outcomes and
Reducing Juvenile Justice Involvement**

**Michael Thompson, Director
Council of State Governments, Justice Center
December 14, 2012**

- **National non-profit, non-partisan membership association of state government officials**
- **Represents all three branches of state government**
- **Provides practical, nonpartisan advice informed by the best available evidence**

Overview

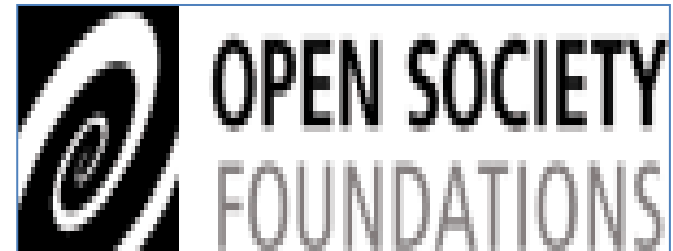
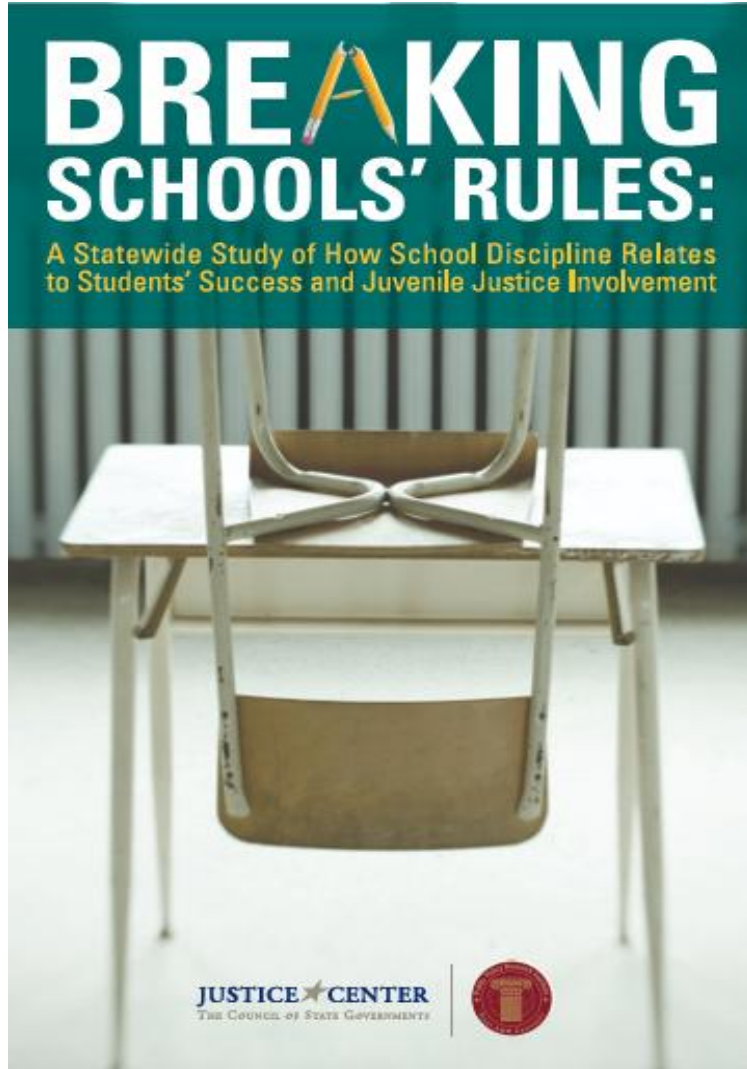


Texas Study Sheds New Light on School Discipline

National momentum builds to improve school discipline policy

Maryland helping to propel field; what next?

Funders of Study

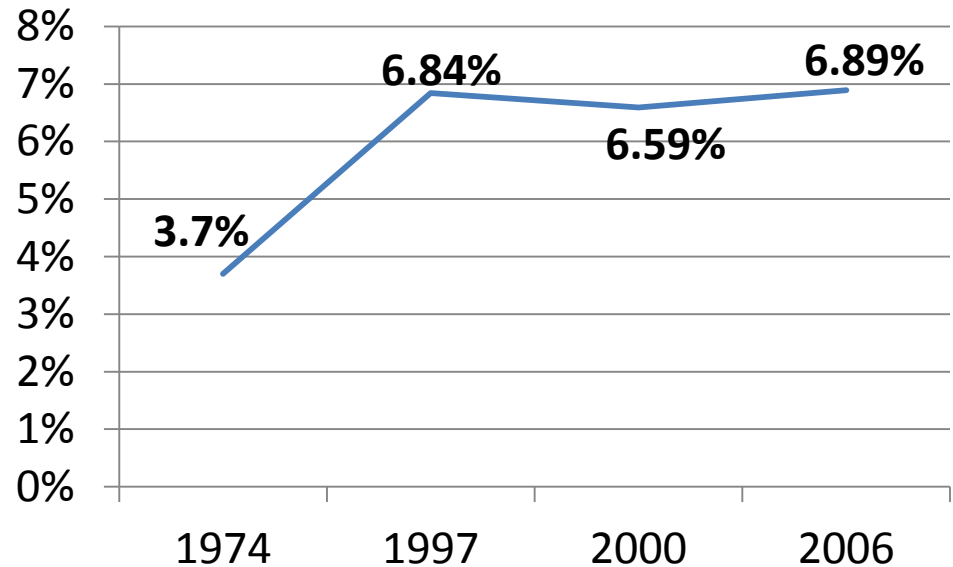


Increasing Number of Suspensions and Expulsions an Issue Nationally

Percentage of students receiving
out-of-school suspension*:

New York = 5.2% (2008-2009)
Texas = 5.7% (2009-2010)
Florida = 8.6% (2009-2010)

Percentage of K-12 students receiving
out-of-school suspension**



*Percentages were obtained from the web sites of each state's education agency.

A student is counted only once, regardless of whether the student was suspended one or more times during the school year.

Percentages apply to all k-12 students in Florida and New York, it is not known what grades were included in the percentage rate for Texas.

In New York, an out-of-school suspension was defined as lasting one full day or longer.

In Texas, an out-of-school suspension was defined as lasting a full day or part day, but no more than three days.

The exact length of an out-of-school suspension is not known for the state of Florida.

**The Department of Education's Office of Civil Rights collects data on suspensions as part of an annual survey.

They make national projections based on samples from approximately one third of all public schools and school districts.

Texas Is a Useful Laboratory for Examining School Discipline Issues

**Exceptionally
large school
system**

**Approximately 5 million
students**

**1 in 10 public school students
in US**

1,200 school districts

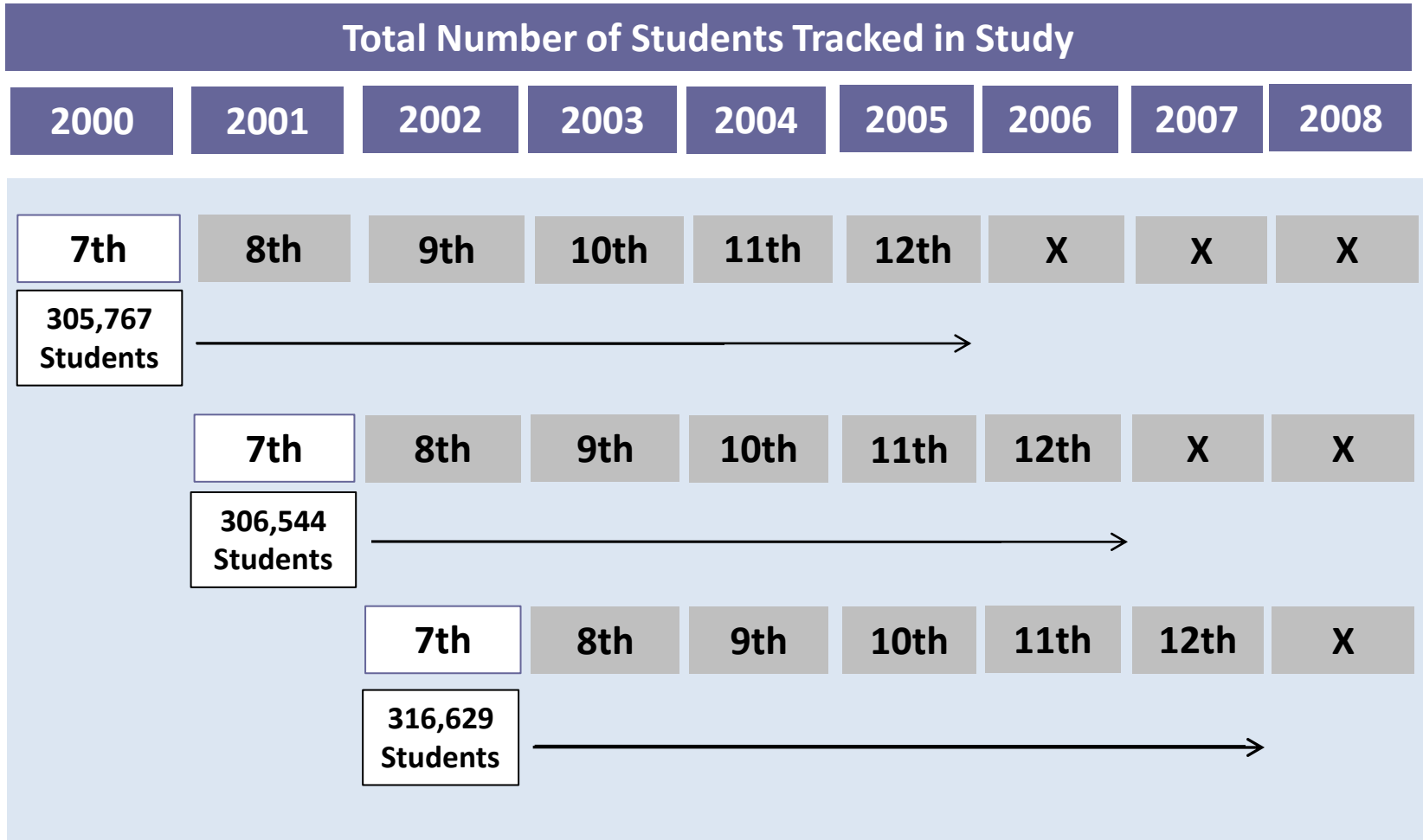
**Diverse student
population**

40% Hispanic,

43% White,

14% African-American

Study Follows Over 900,000 Students



Robust Student Record Data, Campus-Based Data, and Juvenile Justice Record Systems

Texas Education Agency

1. Academic Excellence Indicator System (AEIS)

Example of Campus Attributes

Accountability Rating

Student/Teacher Ratio

Percent Met State Test Standard

Racial Makeup Students Teachers

3,896 campuses

2. PEIMS – Public Education Information Management System

Example of Student Attributes

Demographics

Disability

Grade

Retention

Attendance

Test Scores

Discipline

Mobility

Records for 5,157,683 students
Grades 6-12 (1999-2000)

3. TX Juvenile Probation Commission Records

Attribute

Probation Referral

840,831 individuals referred to Texas juvenile probation 1994-2008

87% of probation records had a matching school record

Definition of Terms

In-School Suspension (ISS)

Removal of student from the classroom to a designated on campus room for a short duration or for several days

Out-of-School Suspension (OSS)

Expulsion of student from the campus for no longer than three days (but no cap on the number of OSS in a school year)

Disciplinary Alternative Education Program (DAEP)

Expulsion of student from campus for longer than three days to an alternative education campus

Juvenile Justice Alternative Education Program (JJAEP)

Expulsion of student for delinquent conduct to a juvenile justice system operated school in the largest counties in the state

Definition of Terms (continued)

Discretionary Discipline Actions

School administrators have wide discretion to suspend or expelled student for violation, usually a violation of the local “school code of conduct” handbook

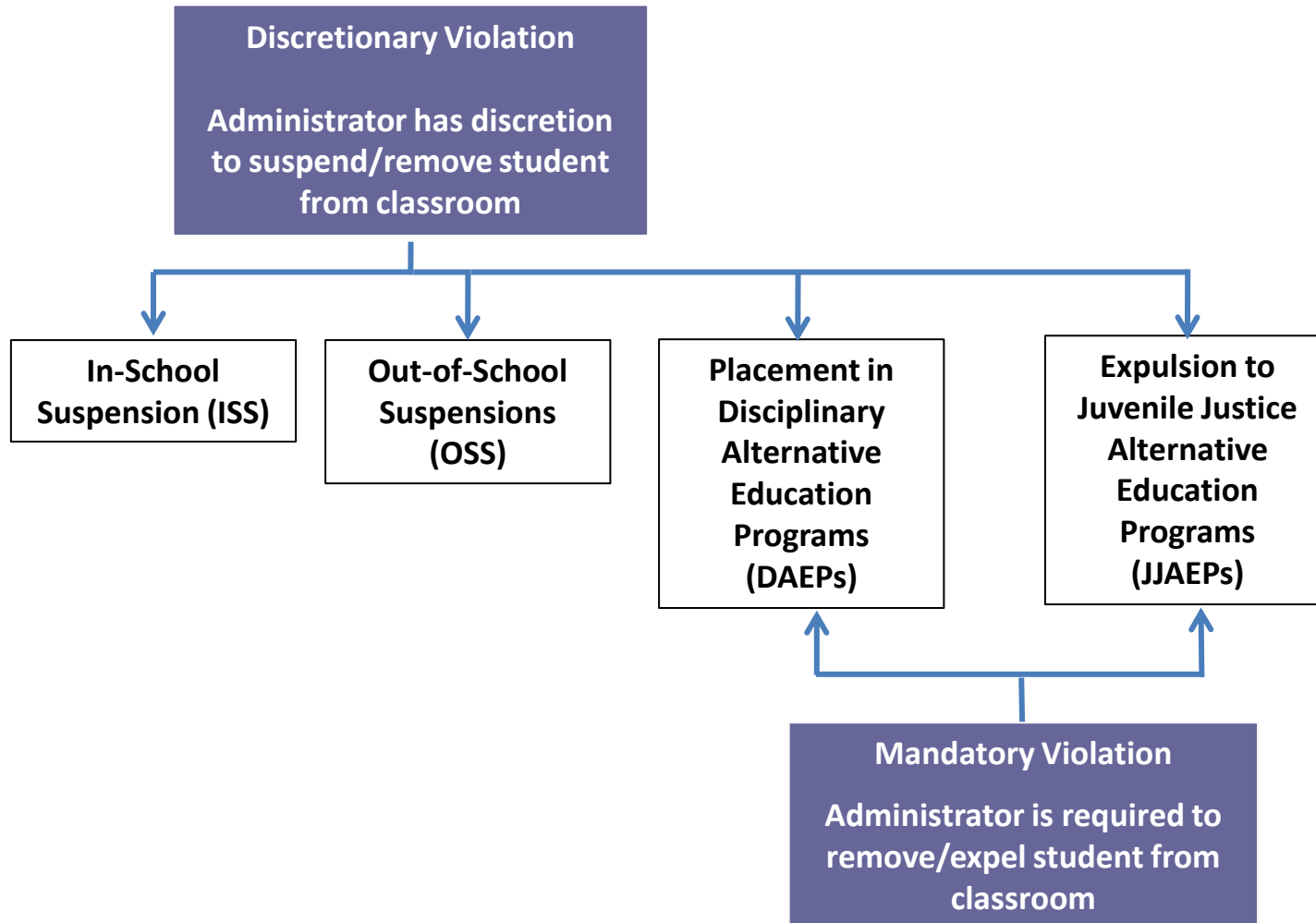
Examples: Classroom disruption, use of profanity, or involvement in a schoolyard scuffle (that does not rise to the level of an assault).

Mandatory Discipline Actions

Mandatory removal of student for violating a list of specific serious criminal behaviors

Examples: Use of firearms on school grounds, aggravated assault, or sexual assault

Discretionary vs. Mandatory Violations

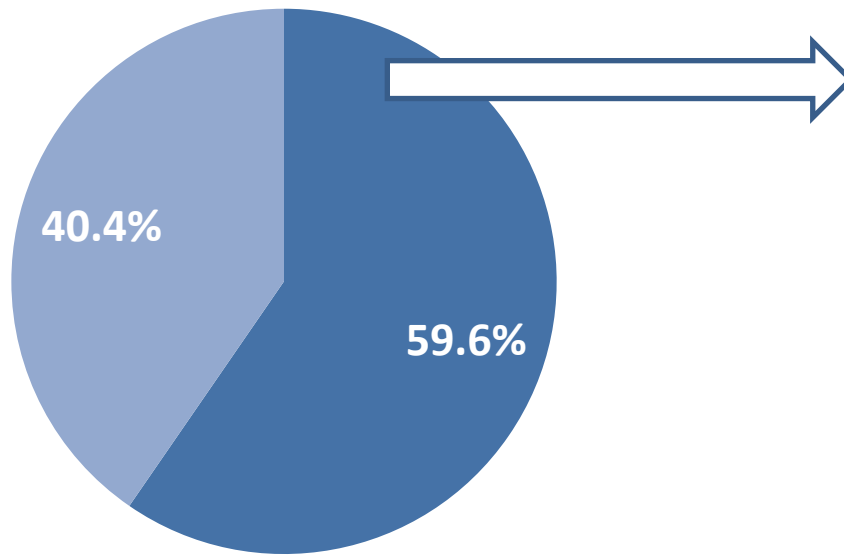


Finding 1

**Number of Students Involved in
Discipline Actions and Type of
Dispositions**

Almost 2/3 of Students Suspended or Expelled During Study Period

Percent of Students with Discipline Actions During Study Period



- One or more discipline actions
- No discipline actions

553,413 of the 928,940 students studied had at least one discipline action during the study period

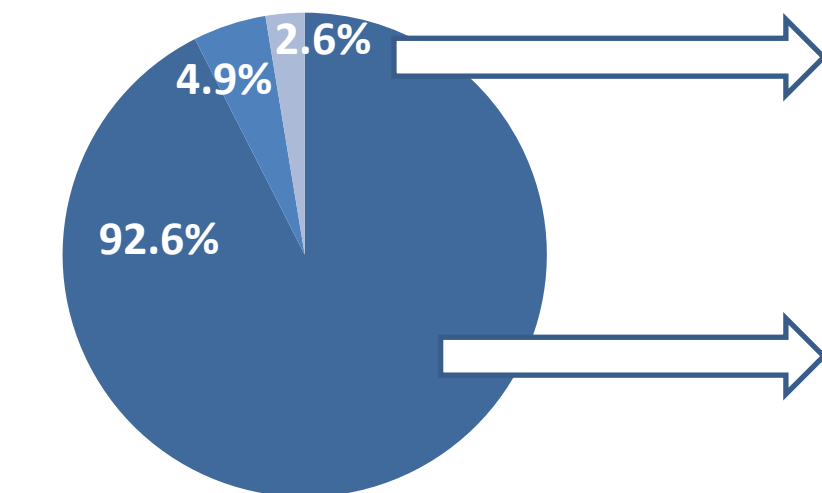


The 553,413 students accounted for 4,910,917 suspensions or expulsions

Median # of violations experienced per student = 4

Most Violations Were Discretionary Violations -- Not Mandatory Violations

Percent of Students Discretionary vs.
Mandatory Violation



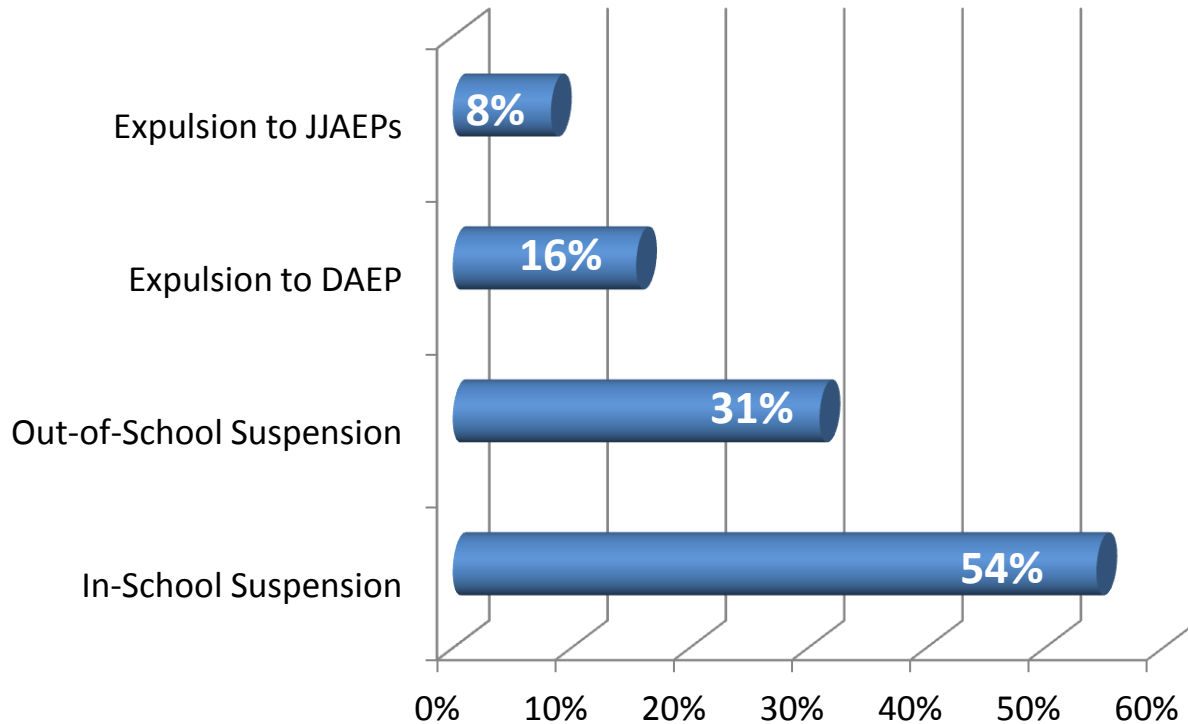
- Discretionary School Code of Conduct
- Other Discretionary
- Mandatory Expulsion

Mandatory
Less than three percent of violations were related to behavior for which state law mandates expulsion or removal

Discretion
Nine times out of ten, a student was suspended or expelled for violating the school's code of conduct

ISS Was Disposition Most Commonly Experienced

Disposition – Students with Discipline Actions:



Average number of Days:

73 days

27 days

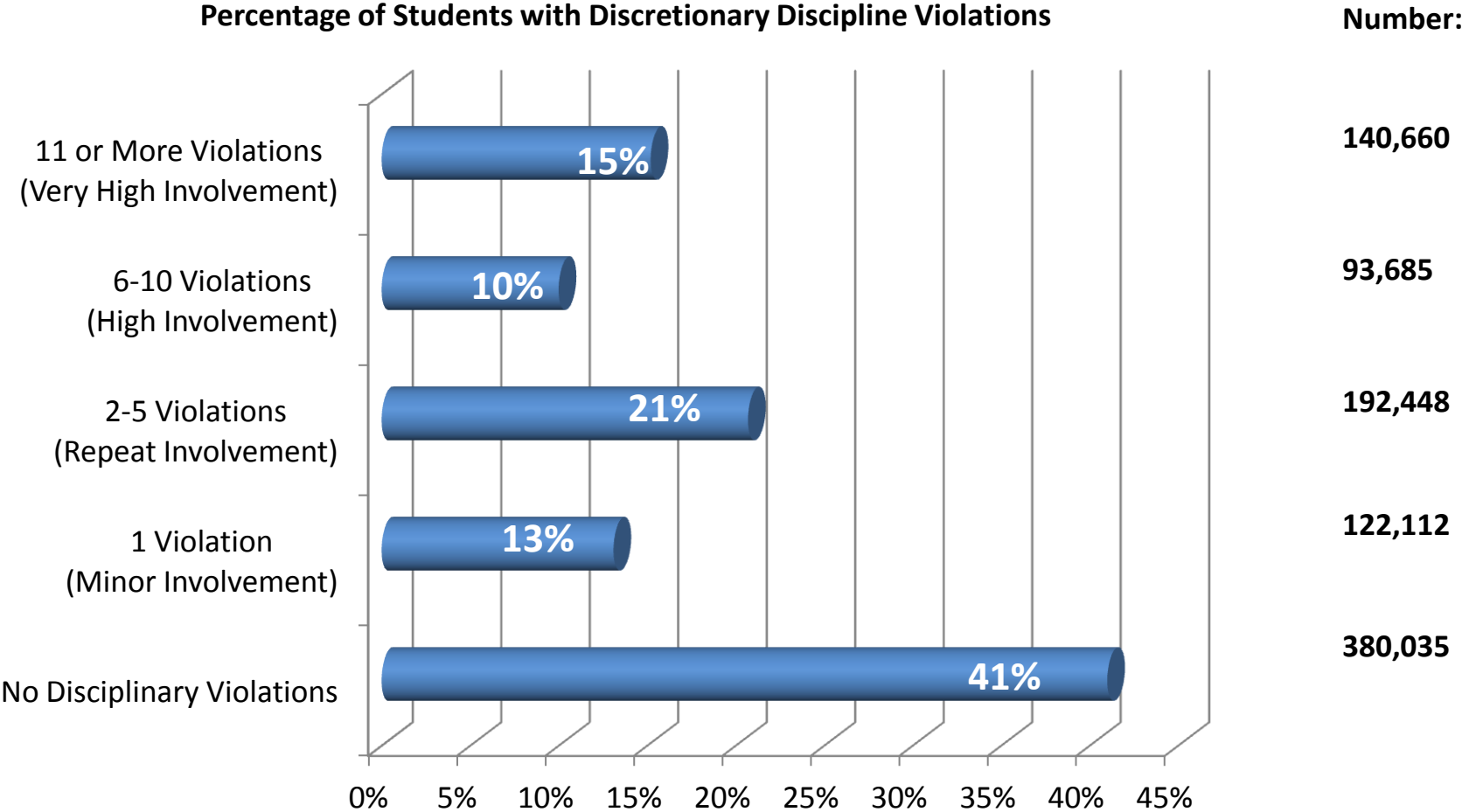
2 days

Unknown**

* Percentages rounded

** In-School Suspension can be for partial days and the database did not include partial days to calculate an average

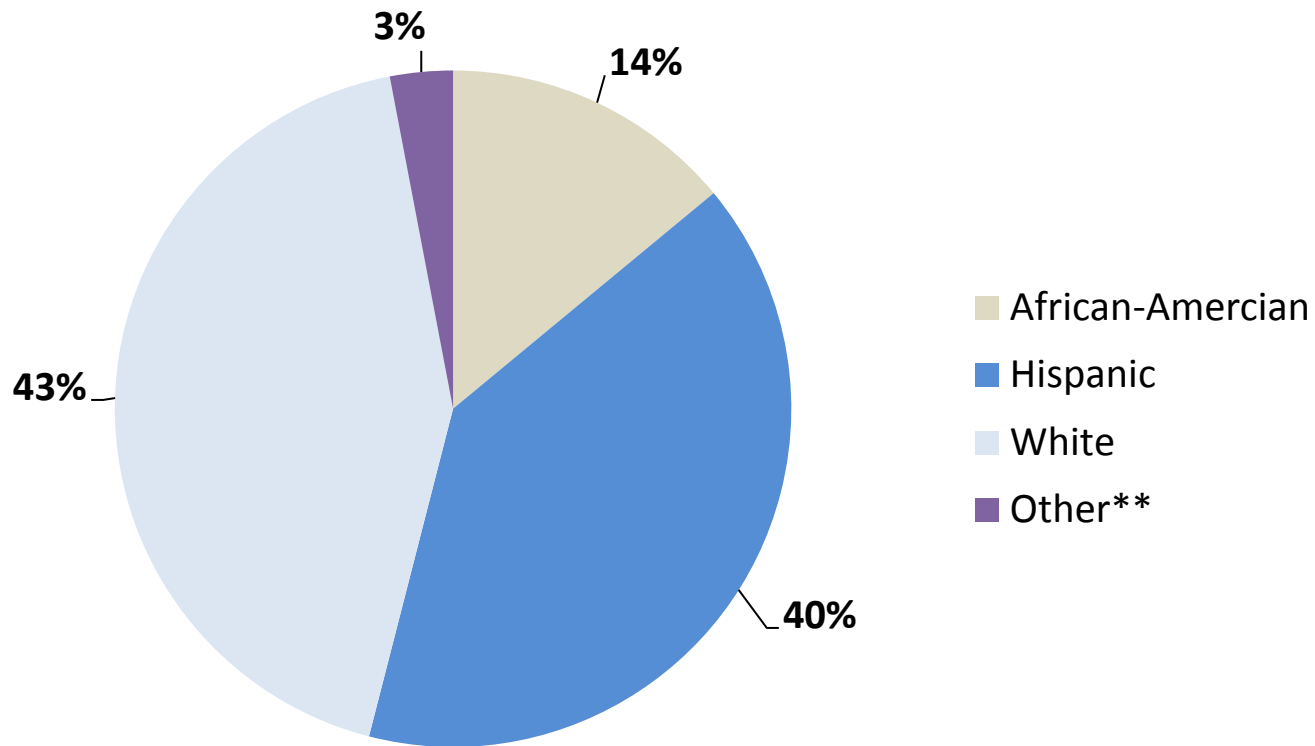
54 % of Students Were NOT Removed from Classroom, or Removed Just Once



Finding 2

Disproportionate Impact Race

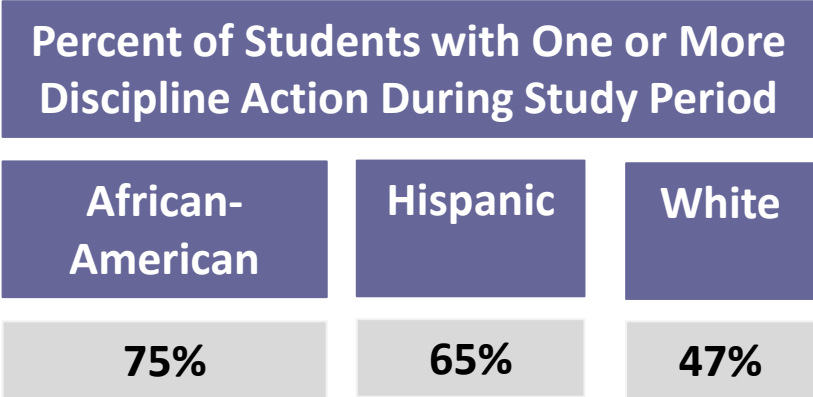
Racial / Ethnic Distribution of Study Group



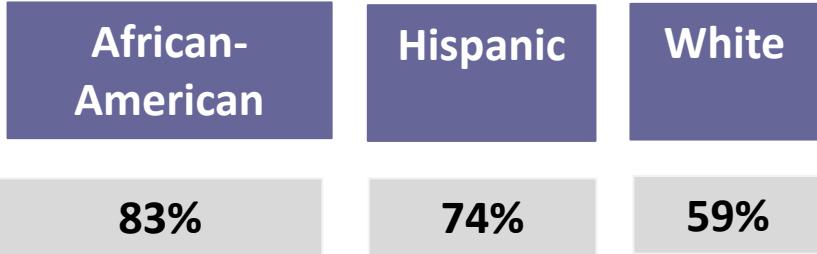
*Percentages rounded

**Other includes American Indian or Alaskan Native and Asian or Pacific Islander

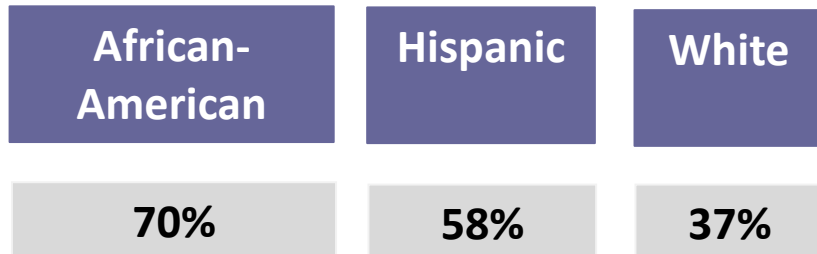
Most African-American Students Experienced at Least One Discipline Violation During Study Period



Percent of *MALE* students with at least one *DISCRETIONARY* violation

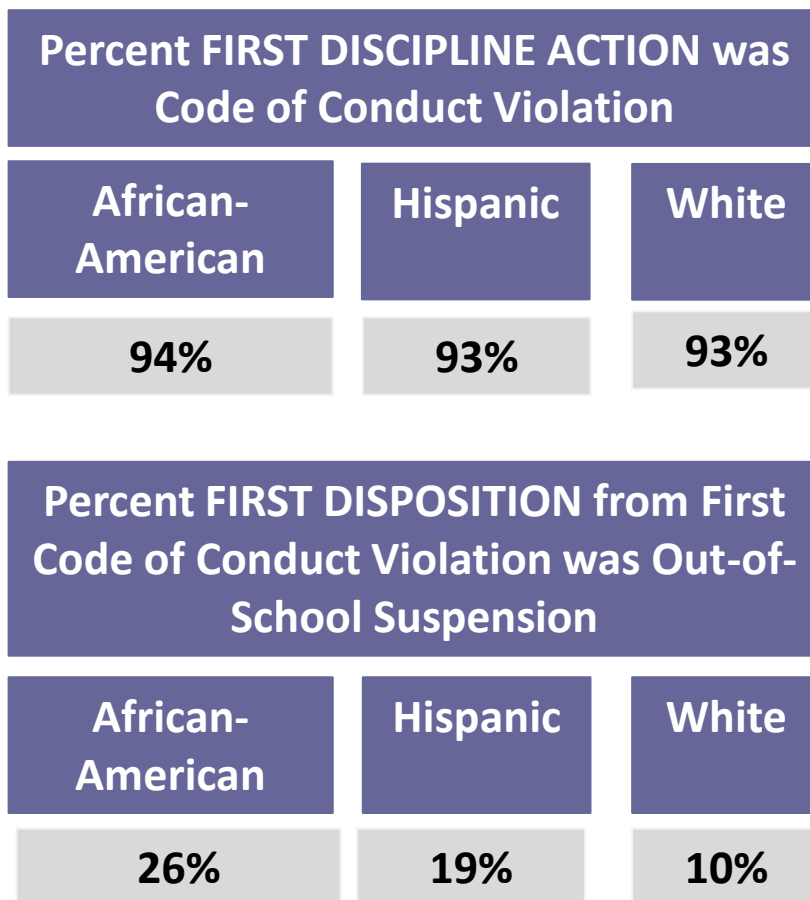


Percent of *FEMALE* students with at least one *DISCRETIONARY* violation



*Percentages rounded

African American and Hispanic Students Experienced Higher Percentage of OSS on First Discipline Action



*Percentages rounded

Controlling for All Variables in Study to Calculate Likelihood of Discipline Involvement by Race

	DISCRETIONARY Action in 9th Grade	MANDATORY Action in 9th Grade
White	Comparison Group	Comparison Group
African-American	31% HIGHER Likelihood	23% LESS Likelihood
Hispanic	Equal Chance	16% HIGHER Likelihood

*Percentages rounded

Finding 3

**Disproportionate Impact Special
Education Students**

Finding 4

Discipline and Education Outcomes

More Discipline Actions, Higher Percentage of Failures

Percent of Students	Discipline Involvement				
	None	1 Violation	2-5 Violation	6-10 Violation	11+ Violation
Repeating Grade	5%	12%	22%	36%	56%
Dropout	2%	5%	8%	11%	15%
Did Not Graduate During Study Period	18%	24%	34%	46%	59%

A student that experiences a discretionary discipline action was more than twice as likely to repeat a grade than a student with the same characteristics, attending a similar school, but who was not suspended or expelled

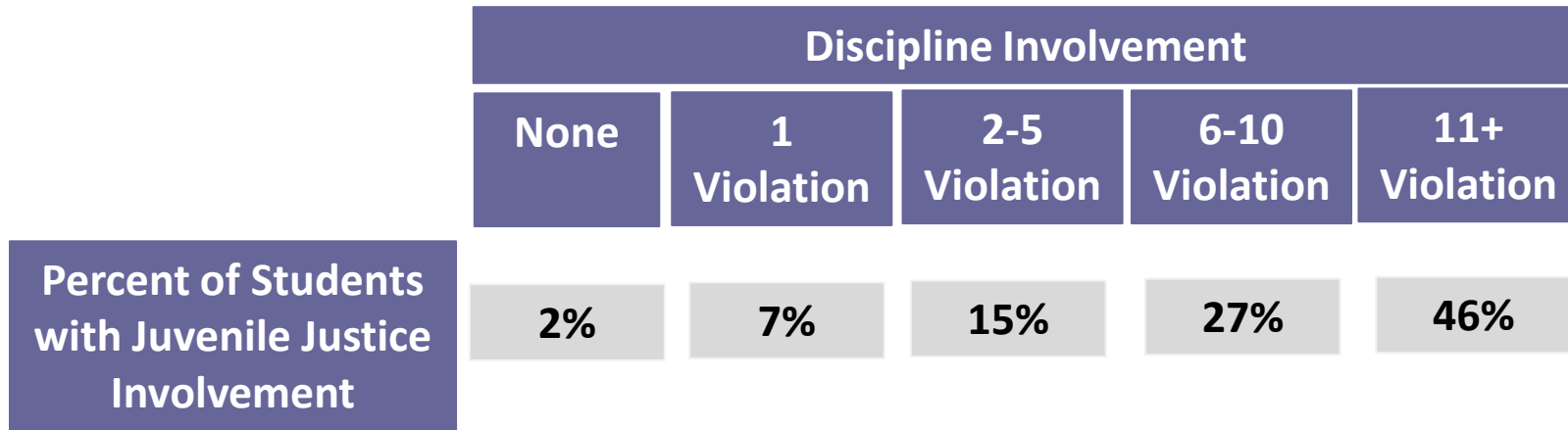
*Percentages rounded

** See report for issues related to the dropout data

Finding 5

Juvenile Justice Involvement

More Discipline Actions, Higher Percentage of Juvenile Justice Contacts



A student who is suspended or expelled for a discretionary school violation is almost 3 times (2.85 times) more likely to have a juvenile justice contact in the next school year

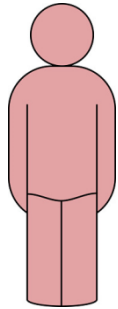
*Percentages rounded

Finding 6

Campus Based Examination

Note on Analytical Strategy

Multivariate Analysis Model



Student Attributes

(Ex. Demographics, disability status, discipline history)



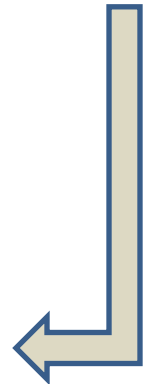
Campus Attributes

(Ex. Student / teacher ratio, percentage economically disadvantaged)



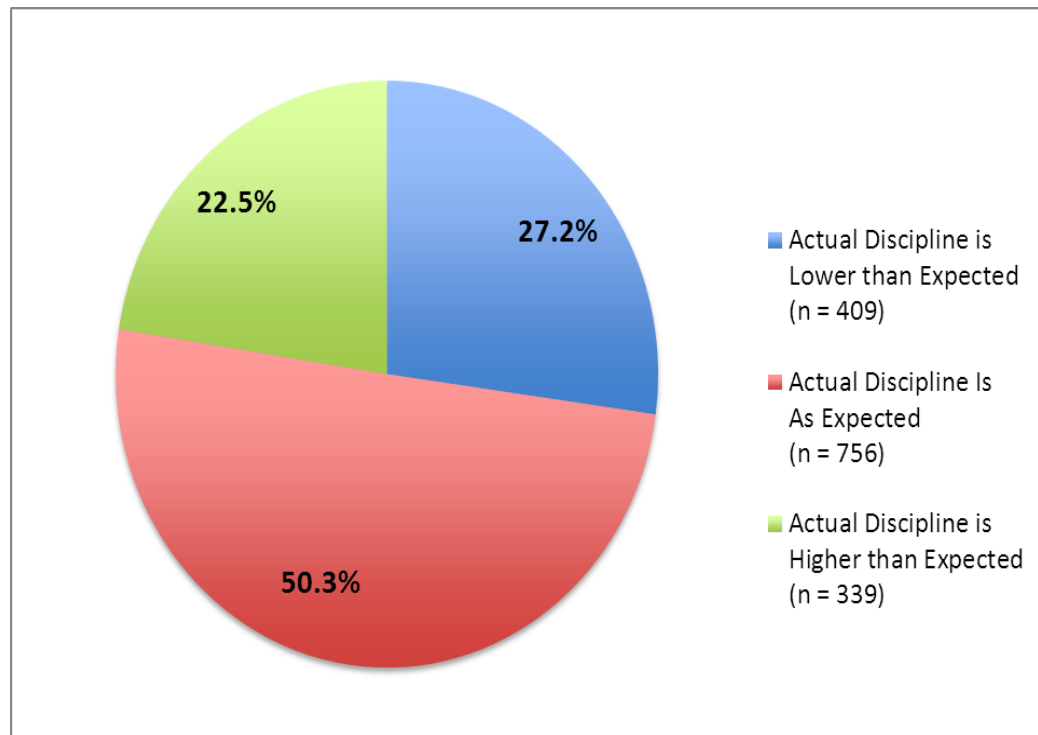
**Predict
Disciplinary
Rate by
Campus**

**Compare campus “expected” discipline rate based on model
with the actual discipline rate**



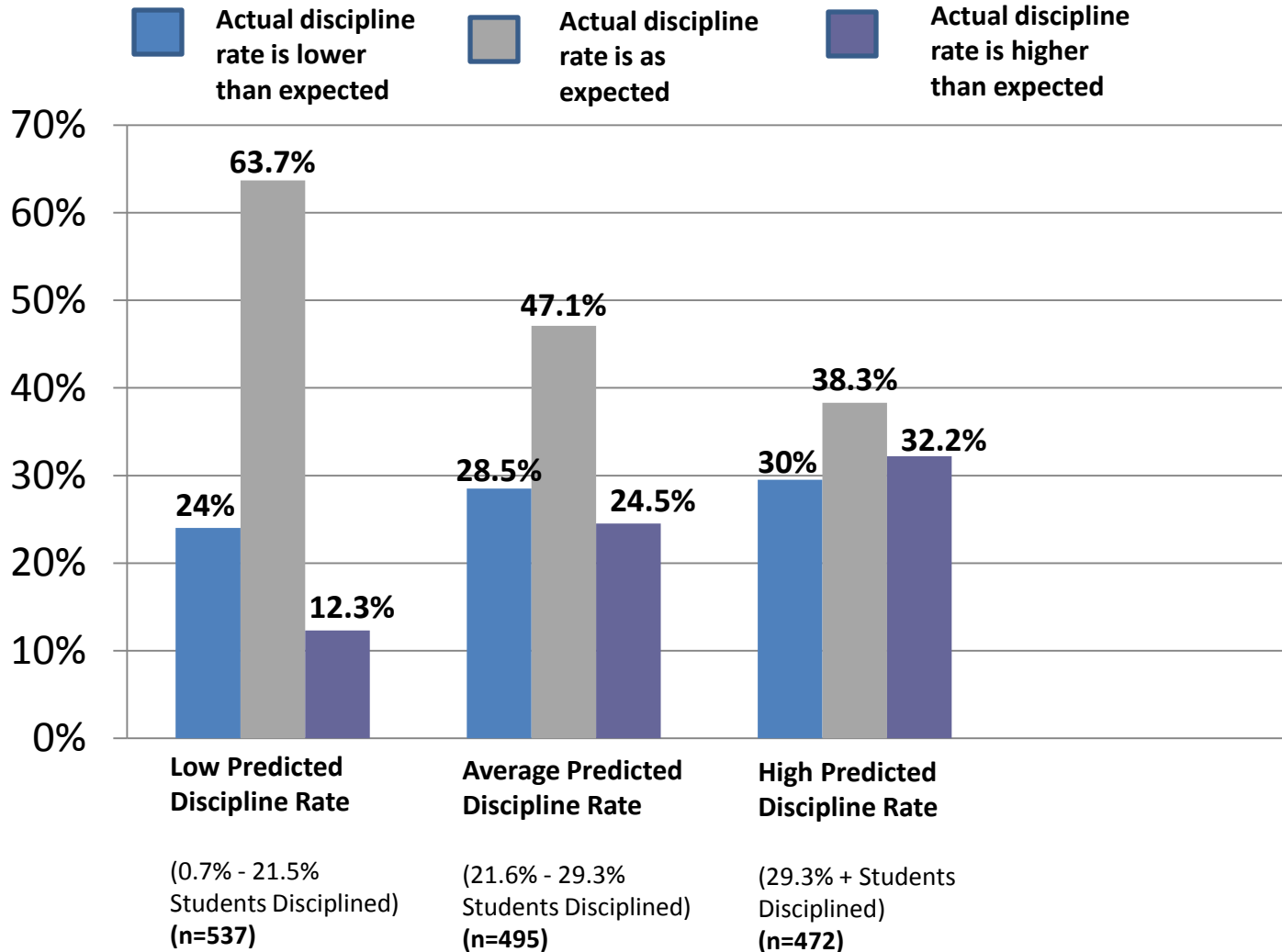
Significant Variation in Discipline Rates Among Schools

Variation Among All Campuses Studied



1,504 high school campuses in 2004-2005

Actual Disciplinary Rates Compared to Predicted Rates



Five School Districts and Their Distribution of Campuses Along Actual vs. Expected Rates

Variation Among 116 Campuses Studied in Five Populous School Districts

In 3 of the 5 districts the majority of the campuses were LOWER than expected discipline rates

	Actual Discipline is Lower than Expected	Actual Discipline is As Expected	Actual Discipline is Higher than Expected
District 1	64.3%	14.3%	21.4%
District 2	55.6%	27.8%	16.7%
District 3	76.9%	15.4%	7.7%
District 4	20.0%	33.3%	46.7%
District 5	23.7%	39.5%	36.8%
Number of Campuses	51	34	31

In one district almost half of the campuses were HIGHER than expected discipline rates

There was variation from one district to another

There was variation within a district

Summary

- ✓ Majority of students are suspended or expelled between 7th and 12th grades
- ✓ Just three percent of suspensions/expulsions the result of misconduct for which state mandates removal of the student from the classroom
- ✓ African-American students and students with particular educational disabilities especially likely to experience discretionary violations
- ✓ Suspension/expulsion increases the likelihood of student repeating a grade, dropping out, or not graduating.
- ✓ Discipline actions increase the likelihood of juvenile justice involvement, particularly for those repeatedly disciplined
- ✓ Campus discipline rates varied considerably from their expected rates

Overview

Texas Study Sheds New Light on School Discipline



National momentum builds to improve school discipline policy

Maryland helping to propel field; what next?

Texas Is Pushing Policymakers Everywhere to Ask Important Questions about School Discipline

How do we apply the same scrutiny used by Texas policymakers to examine our state's school discipline policies?

Given state of our information systems and quality of our data, what can we measure in our state?

What policies do leaders in the education, justice, and health fields agree improve academic achievement while reducing the use of suspensions and expulsions for students and referrals to the juvenile justice system?

US Cabinet Officials Announce “Supportive School Discipline Initiative”

Attorney General Holder and Secretary Duncan Announce “Supportive School Discipline Initiative”

On July 21, 2011, at the quarterly meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention in Washington, DC, Attorney General Eric Holder and Secretary of Education Arne Duncan announced the creation of the Supportive School Discipline Initiative. The Initiative is a collaboration between the two agencies that hopes to target the school disciplinary policies and in-school arrests that push youth out of school and into the justice system, also known as the school-to-prison pipeline.



US Congress Focuses on School Discipline

Nov 15, 2012: Baltimore's Dr. Jonathan Brice briefs Congressional Staff
Dec 13, 2012: US Senate Judiciary Committee convenes hearing



Emerging Priority for States



Legislation (*Colorado and California*)

- limiting zero tolerance policies
- amending grounds for suspensions and expulsions
- allowing flexibility to school administrators for decision-making
- training for school resource officers
- promoting use of alternatives to suspension



Council of State Governments Launches Consensus-Building Project



The
A T L A N T I C
Philanthropies

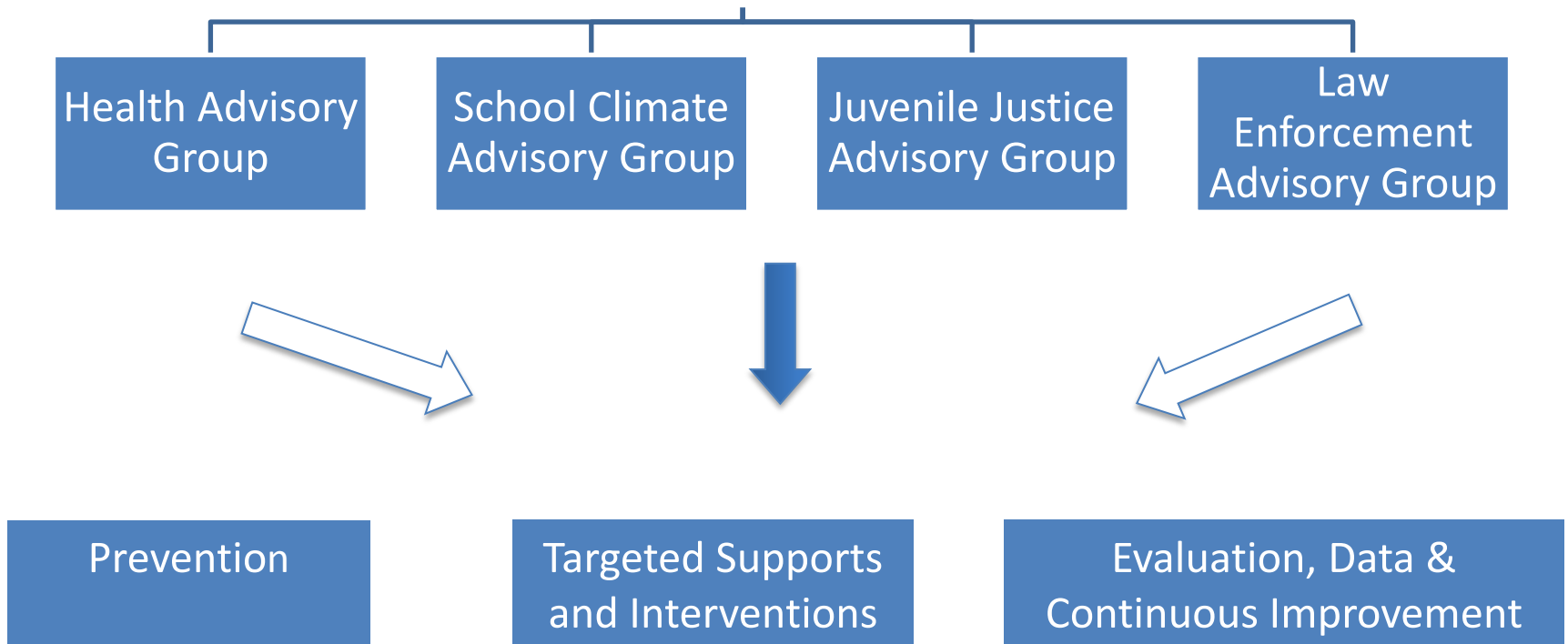
NoVo Foundation
create. change.



**The
California
Endowment**

Consensus-Building Project Structure

18 month project that will convene experts in such fields as school safety, behavioral health, education, juvenile justice, social services, law enforcement, and child welfare, as well as youth, parents and community partners.



Overview

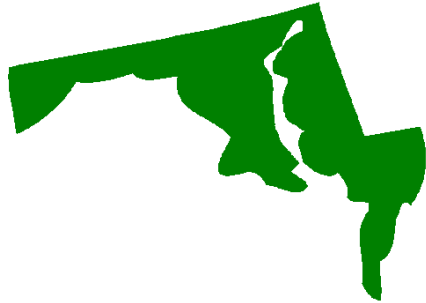
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Maryland Helps to Propel Field – What Next?



MD State Board of Education

- requires school districts to track disciplinary data
- revises definitions for what constitutes suspensions and expulsions

Baltimore City Public Schools

- overhauls school discipline system;
- suspensions decline; graduation rate increases

What's Next

- Law enforcement, school climate, health juvenile justice

Overview



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Thank You

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