



Incorporating Equity Measures in New State Accountability and Improvement Systems

Reducing Student Suspensions and Expulsions

Abstract

This policy brief is part of a larger research report, *Advancing Educational Equity for Underserved Youth: How New State Accountability Systems Can Support School Inclusion and Student Success*, that describes how ESSA provides an opportunity for states to better support historically underserved students through the thoughtful selection of specific equity measures in their accountability and improvement systems. These five measures are:

1. Reducing student suspensions and expulsions.
2. Building a positive school climate and promoting social-emotional learning.
3. Eliminating chronic absenteeism.
4. Implementing extended-year graduation rates.
5. Expanding access to a college- and career-ready curriculum.

This brief treats the research, rationale, and evidence-based interventions associated with **reducing student suspensions and expulsions**.

For the full report, go to <https://learningpolicyinstitute.org/product/advancing-educational-equity>.

This research was supported by a grant from the Ford Foundation. LPI's work in this area is also supported by the S.D. Bechtel, Jr. Foundation, the Hewlett Foundation, and the Sandler Foundation.

Introduction

New accountability policies under the Every Student Succeeds Act (ESSA) can be used to create systems that help schools develop stronger supports for historically underserved children and youth. As states work to implement ESSA and redesign accountability and improvement systems, they have an opportunity to incorporate indicators of student and school performance that can provide educators, parents, and the community with the information and incentives needed to create conditions that support greater school inclusion, and target resources to keep students in school and enable their success. ESSA requires that state accountability systems incorporate at least one indicator of school quality or student success that are annually measured and reported for all students and, separately, for each identified group of students, and used to help identify schools for intervention and support. There are many possibilities for leveraging the indicator(s) of school quality or student success to help students reach their full potential. By including rates of student suspensions and expulsions as indicators, states can provide incentives for schools to engender a sense of purpose, engagement, and belonging for all children and youth that keeps them engaged in their learning, and prepares them to thrive in school and beyond.

Why This Measure Matters

Over the last several decades, researchers have noted that the overuse and disparate use of suspensions and expulsions have been significant contributors to dropout rates and the perpetuation of the school-to-prison pipeline. According to the most recent U.S. Department of Education's Office for Civil Rights Civil Rights Data Collection, during the 2011–2012 school year, 3.5 million students were suspended in school, 3.45 million students were suspended out of school, and 130,000 students were expelled.

These high rates of school exclusion have been encouraged by zero-tolerance policies, which assign explicit, predetermined punishments to specific violations of school rules, regardless of the situation or context of the behavior.¹ In many cases, punishment for even minor violations is severe, such as suspension from school for wearing the wrong clothing, speaking out of turn, or failing to turn in homework. In theory, zero tolerance deters students from violent or illegal behavior because the punishment for such a violation is harsh and certain.² However, research shows that zero-tolerance practices ultimately increase illegal

behavior and have many other negative consequences for student academic achievement, attainment, and welfare, as well as for school culture.³ Furthermore, according to the UCLA Civil Rights Project:

researchers find that the frequent use of suspension brings no benefits in terms of test scores or graduation rates. Thus, the oft-repeated claim that it is necessary to kick out the bad kids so the good kids can learn is shown to be a myth. In fact, research suggests that a relatively lower use of out-of-school suspensions, after controlling for race and poverty, correlates with higher test scores, not lower.⁴

Students of color and those with disabilities are disproportionately suspended compared to their White and nondisabled peers. These disparities are often a function of the fact that students are treated and punished differently despite engaging in similar behaviors. Studies show that African American students receive harsher suspensions for more subjective and less serious behavior than their White peers.⁵ Data also demonstrate that disparities in rates of discipline are not the result of more serious misbehavior; rather, students of color are suspended from school for fairly minor behavior that doesn't pose a serious threat to safety.⁶ For example, research shows that African American female students are more likely than White female students to be suspended for subjective infractions such as defiance and dress code violations.⁷

The relationship between school exclusion and incarceration is strong. Students who are removed from school lose instructional time and tend to have lower academic success, higher rates of grade retention, lower graduation rates, and are more likely to become involved in the juvenile justice system.⁸ In some states and districts, "school discipline becomes criminalized through its extension into the juvenile court,"⁹ regardless of the severity of the behavior, such as whether a student is being disciplined for truancy or willful defiance rather than causing some form of damage or injury. Data from several districts across various states "show that the alleged misconduct leading to court referral is typically quite minor. This 'net-widening' effect reflects increased collaboration between schools and the juvenile justice system, which has eroded the traditional boundaries between the two institutions."¹⁰

Further, studies show how the "anticipatory labeling of students as future prisoners in need of coercive control or exclusion can be a self-fulfilling prophecy as students frequently suspended from school face increased risks of juvenile and adult incarceration. Just as the success of a 'College Prep' track can be gauged by the share of students in this track who attend college, the reliability of penal and exclusionary practices at weeding out those students on the 'fast track' to jail may, perversely, legitimate and reinforce these practices."¹¹

Student exclusion from school begins a process of successive failures. When students are regularly removed from the classroom, they fall behind in their classwork, and they experience a social and emotional distancing and disengagement from school.¹² The more time students spend out of the classroom, the more their sense of connection to the school wanes,¹³ along with their ability to succeed academically as they miss more and more instruction. This distance promotes disengaged behaviors, such as truancy, chronic absenteeism, and antisocial behavior,¹⁴ which in turn contributes to the widening achievement and opportunity gap. Research shows that the frequency of student suspensions undermines academic performance and increases the likelihood of dropping out.¹⁵ It also leaves a mark on their school records that most likely will negatively impact their postsecondary education opportunities.

Under ESSA, school quality and student success indicators used for accountability purposes must be disaggregated by race and other student characteristics. Research indicates that tracking suspension and expulsion data by student groups can help highlight racially disparate practices, and promote positive behavioral interventions that can improve student engagement and academic success.¹⁶

Because students who belong to two or more disadvantaged subgroups are at the highest risk of being suspended, districts benefit from conducting a cross-sectional data analysis, where possible, to get a better understanding of who is being suspended and to identify more effective interventions.¹⁷ For example, in Chicago, 75% of African American male students with disabilities in middle school were suspended, and African American females with disabilities were suspended at higher rates than White and Latino males.¹⁸ Similarly, compared to White male students with disabilities served by the Individuals with Disabilities Education Act (IDEA), rates of out-of-school suspensions are more than twice as high for American Indian or Alaska Native, Native Hawaiian or other Pacific Islander, African American, and multiracial male students with disabilities served by IDEA.¹⁹

In an effort to reduce the use of exclusionary practices, many schools have moved to establish social-emotional supports for students, as well as restorative justice practices centered on promoting respect, taking responsibility, and strengthening relationships. For example, California has achieved a sharp decrease in suspension rates as a result of this type of policy. Between 2011 and 2016, suspensions have declined by 33.6%, driven by a 77% decline in suspensions for “willful defiance,” and expulsions have dropped 40.4%.²⁰

Although there is still a steep learning curve for many schools and districts to figure out how to create engaging learning environments and social-emotional supports for students, many have shown it can be done.²¹ If states are committed to ending the school-to-prison pipeline, they can use state accountability and improvement systems to incentivize and reward districts for reducing school exclusion. They can also provide targeted resources, training, and support to educators for instituting positive and effective school discipline policies and practices.

Evidence-Based Strategies and Resources for Reducing Rates of Suspension and Expulsion

To reduce rates, and disparities in rates, of suspension and expulsion, states, districts, and schools should remove zero-tolerance policies and eliminate the use of suspensions and expulsions for lower-level offenses, replacing them with supportive, inclusive, and effective strategies²² to address student misbehavior, including restorative justice.²³

In addition, states and districts can support the development and implementation of both model school discipline policy and agreements that clarify the distinction between educator discipline and law enforcement discipline, eliminating referrals to law enforcement for all nonviolent, noncriminal offenses. The [Dignity in Schools Campaign](#) provides several resources for policies that remove police from schools, replacing them with effective staff-led strategies for classroom management, conflict resolution, and mediation.²⁵

When staff lack strategies for managing behavior, focused supports may be needed. Using classroom-level data to provide targeted professional development for teachers, particularly for early-career teachers, may also be effective. Research indicates that there is a relationship between a high suspension rate and a higher-than-average number of novice teachers.²⁶ States, districts, and schools can also reduce disproportionality by providing training on implicit bias and asset-based youth development for teachers and administrators, school resource officers, police, juvenile judges, and others dealing with juveniles.²⁷

Resources for districts and schools include joint guidance issued by the U.S. Department of Education and the U.S. Department of Justice, *Rethink School Discipline: School District Leader Summit on Improving School Climate and Discipline Resource Guide for Superintendent Action*,²⁸ which provides evidence-based action steps on the district and school levels for initiating and enhancing local efforts to create safe, supportive school climate, discipline systems, and practices in collaboration with local

Restorative Justice

Restorative justice is an approach that emphasizes repairing the harm caused by problematic behavior. It is generally accomplished through cooperative processes that include all stakeholders, leading to transformation of people, relationships, and communities. In schools, restorative justice programs bring the affected parties together to evaluate the situation, determine how to make amends, and reintegrate students into the classroom and school community.²⁴ Resources include:

1. **Implementing Restorative Justice: A Guide for Schools**—Produced by the Illinois Criminal Justice Authority, this comprehensive guide focuses on ways that schools can integrate restorative justice practices. The guide looks at challenges to implementation, defines the subject, and provides three approaches to using restorative justice in schools.
2. **Restorative Justice: A Working Guide for Our Schools**—This guide from the Alameda County Schools Health Coalition covers a range of topics, and includes an in-depth introduction, examples of restorative practices, and discussion of the impact these programs can have on youth.
3. **Restorative Justice: Fostering Healthy Relationships & Promoting Positive Discipline in Schools**—This guide from the National Opportunity to Learn Campaign provides different examples of restorative practices, along with implementation tips and strategies, and examples from school districts.
4. **Restorative Practices: Whole-School Implementation Guide**—The San Francisco Unified School District uses restorative practices throughout the district. This guide provides a framework for planning, implementing, and using restorative practices across a school or district. There are many useful insights into the unique considerations of implementing a program. The district also offers useful curriculum-planning resources.

Source: Davis, M. (2015). Restorative justice: Resources for schools. <https://www.edutopia.org/blog/restorative-justice-resources-matt-davis> (accessed 12/27/16).

stakeholders. Options for replacing zero-tolerance policies, such as targeted behavioral supports for at-risk students, promoting student-school bonds, and character education and social-emotional learning programs are included in the National Education Association's *Multiple Responses, Promising Results: Evidence-based, nonpunitive alternatives to zero tolerance*.²⁹

Endnotes

1. American Psychological Association Zero Tolerance Task Force. (2008). Are zero tolerance policies effective in schools? An evidentiary review and recommendations. *American Psychologist*, 63(9), 852-862.
2. Skiba, R., & Rausch, M. K. (2006). Zero tolerance, suspension, and expulsion: Questions of equity and effectiveness. In C. M. Evertson & C. S. Weinstein (Eds.), *Handbook of classroom management: Research, practice, and contemporary issues* (pp. 1063-1089). Mahwah, NJ: Lawrence Erlbaum Associates.
3. Skiba, R., & Rausch, M. K. (2006). Zero tolerance, suspension, and expulsion: Questions of equity and effectiveness. In C. M. Evertson & C. S. Weinstein (Eds.), *Handbook of classroom management: Research, practice, and contemporary issues* (pp. 1063-1089). Mahwah, NJ: Lawrence Erlbaum Associates.
4. Losen, D., & Gillespie, J. (2012). *Opportunities suspended: The disparate impact of disciplinary exclusion from school*. Los Angeles, CA: The Center for Civil Rights Remedies at The Civil Rights Project, 8.
5. Finn, J. D., & Servoss, T. J. (2014). Misbehavior, suspensions, and security measures in high school: Racial/ethnic and gender differences. *Journal of Applied Research on Children: Informing Policy for Children at Risk*, 5(2), 1-50.
6. Losen, D. J. (2014). *Closing the school discipline gap: Equitable remedies for excessive exclusion*. New York, NY: Teachers College Press.
7. Losen, D. J. (2014). *Closing the school discipline gap: Equitable remedies for excessive exclusion*. New York, NY: Teachers College Press.
8. Steinberg, M. P., & Lacoë, J. (2017). What do we know about school discipline reform? *Education Next*, 17(1), 1-23.
9. Hirschfield, P. J. (2008). Preparing for prison? The criminalization of school discipline in the USA. *Theoretical Criminology*, 12(1), 79-101.
10. Hirschfield, P. J. (2008). Preparing for prison? The criminalization of school discipline in the USA. *Theoretical Criminology*, 12(1), 79-101.
11. Hirschfield, P. J. (2008). Preparing for prison? The criminalization of school discipline in the USA. *Theoretical Criminology*, 12(1), 79-101; Arum, R., & Beattie, I. (1999). High school experiences and the risk of adult incarceration. *Criminology*, 37(7), 515-540; Skiba, R., Simmons, A., Staudinger, L., Rausch, M., Dow, G., & Feggins, R. (2003). *Consistent removal: Contributions of school discipline to the school-prison pipeline*. Paper presented at the School to Prison Pipeline Conference, Cambridge, MA.
12. Hirschfield, P. J. (2008). Preparing for prison? The criminalization of school discipline in the USA. *Theoretical Criminology*, 12(1), 79-101; Arum, R., & Beattie, I. (1999). High school experiences and the risk of adult incarceration. *Criminology*, 37(7), 515-540; Skiba, R., Simmons, A., Staudinger, L., Rausch, M., Dow, G., & Feggins, R. (2003). *Consistent removal: Contributions of school discipline to the school-prison pipeline*. Paper presented at the School to Prison Pipeline Conference, Cambridge, MA.
13. Hemphill, S. A., Toumbourou, J. W., Herrenkohl, T. I., McMorris, B. J., & Catalano, R. F. (2006). The effect of school suspensions and arrests on subsequent adolescent antisocial behavior in Australia and the United States. *Journal of Adolescent Health*, 39(5), 736-744.
14. Hemphill, S. A., Toumbourou, J. W., Herrenkohl, T. I., McMorris, B. J., & Catalano, R. F. (2006). The effect of school suspensions and arrests on subsequent adolescent antisocial behavior in Australia and the United States. *Journal of Adolescent Health*, 39(5), 736-744.
15. Ekstrom, R. B., Goertz, M. E., Pollack, J. M., & Rock, D. A. (1986). Who drops out of high school and why? Findings from a national study. *Teachers College Record*, 87, 356-373; Raffaele Mendez, L. M. (2003). Predictors of suspension and negative school outcomes: A longitudinal investigation. In J. Wal & D. J. Losen (Eds.), *New directions for youth development: No. 99. Deconstructing the school-to-prison pipeline* (pp. 17-34). San Francisco: Jossey-Bass; Wehlage, G. G., & Rutter, R. A. (1986). Dropping out: How much do schools contribute to the problem? *Teachers College Record*, 87, 374-393.
16. Skiba, R., Chung, C., Trachok, M., Baker, T., Sheya, A., & Hughes, R. (2012). Parsing disciplinary disproportionality. *American Educational Research Journal*, 51(4), 640-670.
17. Losen, D. J. (2014). *Closing the school discipline gap: Equitable remedies for excessive exclusion*. New York, NY: Teachers College Press.
18. Losen, D. J. (2014). *Closing the school discipline gap: Equitable remedies for excessive exclusion*. New York, NY: Teachers College Press.
19. Similarly, more than one in five multiracial female students with disabilities served by IDEA received one or more out-of-school suspensions, compared to one in 20 white female students with disabilities served by IDEA; U.S. Department of Education Office of Civil Rights. (2014). *Civil rights data collection: Data snapshot (School discipline)*. Washington, DC: U.S. Department of Education Office of Civil Rights; U.S. Department of Education Office of Civil Rights. (2016). 2013-2014 civil rights data collection first look: Key data highlights on equity and opportunity gaps in our nation's public schools. Washington, DC: U.S. Department of Education Office of Civil Rights.
20. California Department of Education. State Schools Chief Tom Torlakson Announces Decline in Suspensions and Expulsions for Third Year in a Row. <http://www.cde.ca.gov/nr/ne/yr16/yr16rel5.asp> (accessed 2/6/17).
21. Dominus, S. (2016, September 7). An effective but exhausting alternative to high school suspensions. *The New York Times*. https://www.nytimes.com/2016/09/11/magazine/an-effective-ut-exhausting-alternative-to-high-school-suspensions.html?_r=0 (accessed 1/15/17).
22. Redfield, S. E., & Nance, J. P. (2016). *School to prison pipeline: Preliminary report*. Chicago, IL: American Bar Association.
23. Advancement Project. (2014). *Restorative practices: Fostering healthy relationships & promoting positive discipline in schools. A guide for educators*. Washington, DC: Advancement Project.
24. Davis, M. (2015). Restorative justice: Resources for schools. <https://www.edutopia.org/blog/restorative-justice-resources-matt-davis> (accessed 12/27/16).
25. Dignity in Schools. (n.d.). Dignity in schools campaign publications and tools. <http://www.dignityinschools.org/content/dignity-schools-campaign-fact-sheets> (accessed 12/28/16).
26. Losen, D. J. (2014). *Closing the school discipline gap: Equitable remedies for excessive exclusion*. New York, NY: Teachers College Press.
27. Staats, C. (2015). Understanding implicit bias: What educators should know. *American Educator*, 39(4), 29-33.
28. U.S. Department of Education. (2015). Rethink school discipline: School district leader summit on improving school climate and discipline. Resource guide for superintendent action. Washington, DC: U.S. Department of Education.
29. Boccanfuso, C., & Kuhfeld, M. (2011). *Multiple responses, promising results: Evidence-based, nonpunitive alternatives to zero tolerance*. Washington, DC: Child Trends.