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## **WHAT IS THE IMPACT OF THE TRUMP ADMINISTRATION'S RESCISSION OF FEDERAL SCHOOL DISCIPLINE GUIDANCE ON STATES' PROGRESS TOWARDS CREATING SAFER, MORE INCLUSIVE SCHOOLS?**

*New report explores research on effective school discipline approaches and potential impacts of rescission*

### [Protecting Students' Civil Rights: The Federal Role in School Discipline](#)

The purpose of U.S. public education is to provide an opportunity for every student to develop the skills and capacities they need to become contributing members of society. Unfortunately, too many U.S. schools employ harsh, zero-tolerance discipline policies resulting in suspensions and expulsions for minor offenses that can push students out of school and onto a path to prison. These policies are disproportionately applied to students of color, students with disabilities, and other historically underserved students.

Recognizing these facts, the Obama administration issued nonbinding guidance for states, districts, and schools on school discipline and discrimination in application of these policies. The guidance reflected a large body of research showing that exclusionary policies were ineffective and applied in discriminatory ways. Despite the preponderance of research shared within the guidance, the Trump administration rescinded it in December of 2018. A new report released today by the Learning Policy Institute shares the research on the negative impacts of zero-tolerance and exclusionary discipline policies, provides details on research-based approaches that actually make schools more safe and inclusive, and addresses the potential consequences of the administration's rescission of federal discipline guidance.

The report, [Protecting Students' Civil Rights: The Federal Role in School Discipline](#), reviews the research on the results of approaches that foster social-emotional learning and restorative practices and finds that, after many states and districts implemented policies like those included in the guidance, the nation's schools become safer. For example, in 2015–16 (the year following the release of the federal guidance), the percentage of public schools recording one

or more incidents of violence, theft, or other crimes was lower (79%) than in every prior survey year.

While some states profiled in the report (California, Colorado, Michigan, and Ohio) are likely to continue their efforts to implement effective policies that create safe and inclusive learning environments, the report cautions that there will undoubtedly be states and districts that take their cue from the Trump administration and implement ineffective policies that make students less safe. Recent proposals in several states to arm teachers and other staff, including in Florida and Tennessee, are examples of policies that run counter to research on what makes schools safe.

“In the states and districts that adopted the types of policies and practices included in the guidance, we have seen a real and positive shift to educate students about how to resolve conflicts peaceably and to create safe, inclusive environments that result in fewer incidents of school crime and violence, higher achievement, and increased graduation rates,” said LPI president Linda Darling-Hammond.

“A students’ odds of dropping out of school double after they’ve been suspended just once,” said report co-author Jessica Cardichon, LPI Director of Federal Policy. “Suspensions and expulsions also result in grade retention and track students into the school-to-prison pipeline. Research shows that these punishments impact students of color, students with the disabilities, and LGBTQ students the hardest. Not only are these policies discriminatory and ineffective, they are costly to schools and to society.”

## Key Findings

**Students of color, k–12:** During the 2015–16 school year, African American male students comprised 8% of students enrolled and 25% of students who received an out-of-school suspension. By contrast, White male students comprised 25% of students enrolled and 24% of students who received an out-of-school suspension. African American female students comprised 8% of students enrolled and 14% of students who received an out-of-school suspension. By contrast, White female students comprised 24% of students enrolled and 8% of students who received an out-of-school suspension.

**Students with disabilities, k–12:** While students with disabilities comprise 12% of students enrolled in k–12, they represent 26% of students who receive an out-of school suspension.

**Sexual orientation, k–12:** And according to a national survey, LGBTQ students are more likely to be suspended than their non-LGBTQ peers (25% compared to 15%).

**Students of color, k–12, referrals to law enforcement:** During the 2015–16 school year, African American students represented 15% of student enrollment and 31% of students referred to law enforcement or arrested. By contrast, White students represented 49% of student enrollment and 36% of students referred to law enforcement or arrested. Students with disabilities

represented 12% of student enrollment and 28% of students referred to law enforcement or arrested.

**Students of color, preschool:** During the 2013–14 school year, the most recent year for which the data is available, African American children represented 19% of public preschool enrollment and 47% of those who received more than one out-of-school suspension. By contrast, White students represented 41% of public preschool enrollment and 28% of children who received more than one out-of-school suspension.

*(More details and additional findings can be found in the report.)*

## Report Recommendations for Creating Safe and Inclusive Learning Environments

A substantial body of research makes clear that zero-tolerance policies and the use of exclusionary discipline practices for nonviolent behavior are largely ineffective in changing student behavior and in creating safe learning environments. There is also considerable research identifying effective policies and practices, including:

- Replacing zero-tolerance policies and the use of suspensions and expulsions for low-level offenses with strategies that teach students social-emotional skills. Students participating in social and emotional learning programs demonstrated a 6% increase in high school graduation rates and an 11% increase in college graduation rates.
- Providing targeted support for educators to develop skills that foster caring teacher-student relationships and commitment and bonding to school. Such approaches include proactive classroom management and cooperative learning, and establishing safe and orderly environments that encourage and reinforce positive classroom behavior and contribute to students' immediate and long-term behavioral change.
- Providing training on implicit bias and asset-based youth development for all teachers and administrators, school resource officers, police, juvenile court judges, and others dealing with youth.
- Developing and implementing model school discipline policy and agreements that clarify when educator discipline versus law enforcement discipline is warranted, such as through a memorandum of understanding. This includes eliminating referrals to law enforcement for all nonviolent, noncriminal offenses and replacing them with effective staff-led strategies for classroom management, conflict resolution, and mediation.
- Considering ways to prevent negative consequences when designing and implementing policies that increase law enforcement presence in schools. While it is important to protect staff and students from physical violence, the regular presence of untrained law

enforcement officers in schools can sometimes cause disproportionate harm to students of color and other historically underserved students.

- Creating relationship-centered schools that support strong family and community engagement. Parent and community involvement can positively contribute to improved school climate and the provision of higher quality learning programs for students. Recognizing the importance of these types of relationships for student and school success, the Every Student Succeeds Act includes provisions that require states and districts to engage parents in school improvement efforts.

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### **About the Learning Policy Institute**

The Learning Policy Institute conducts and communicates independent, high-quality research to improve education policy and practice. Working with policymakers, researchers, educators, community groups, and others, the Institute seeks to advance evidence-based policies that support empowering and equitable learning for each and every child. Nonprofit and nonpartisan, the Institute connects policymakers and stakeholders at the local, state, and federal levels with the evidence, ideas, and actions needed to strengthen the education system from preschool through college and career readiness.

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