

**BREAKING SCHOOLS' RULES:**  
A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement

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*Collaborative Approaches to Public Safety*

## Breaking Schools' Rules Report and School Discipline Consensus Project

By Michael Thompson  
October 18, 2013

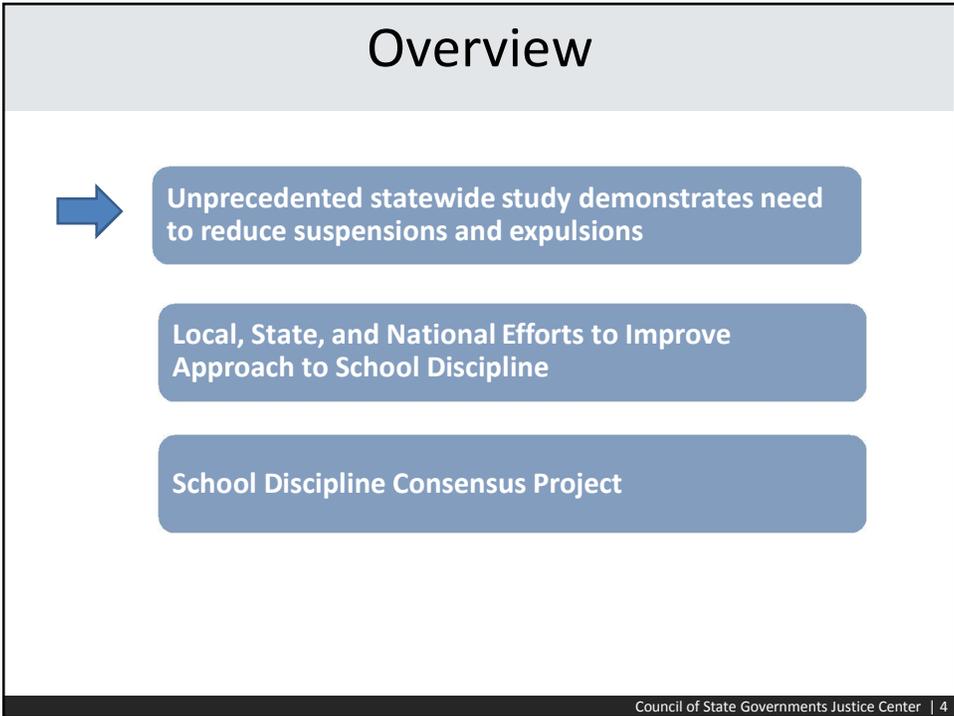
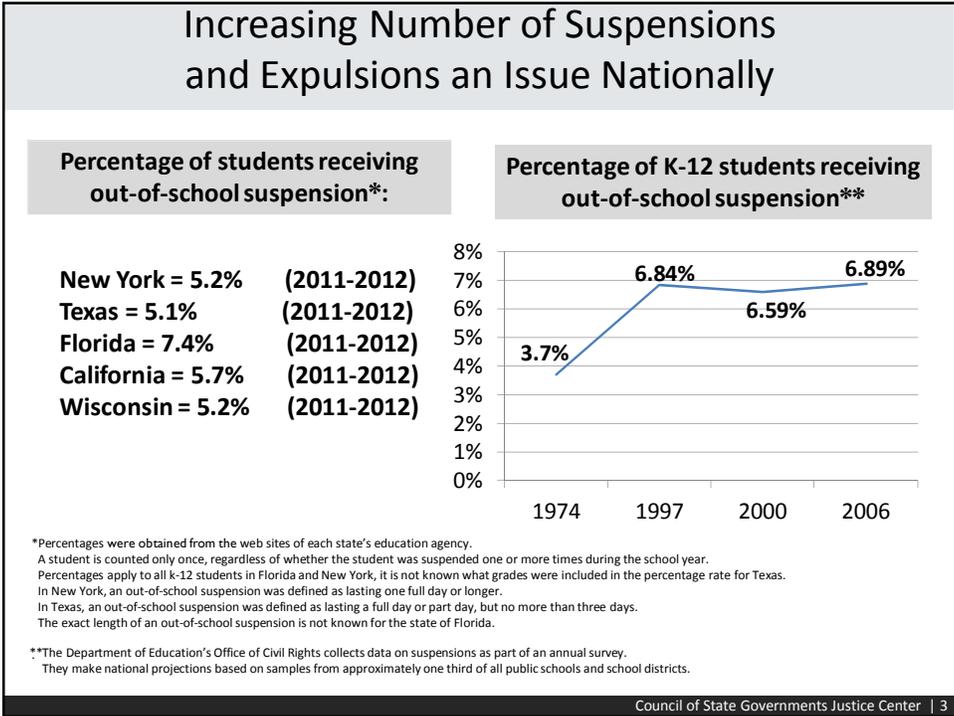
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- **National non-profit, non-partisan membership association of state government officials**
- **Represents all three branches of state government**
- **Provides practical, nonpartisan advice informed by the best available evidence**

Corrections	Courts	Justice Reinvestment	Law Enforcement
Mental Health	Reentry	Substance Abuse	Youth

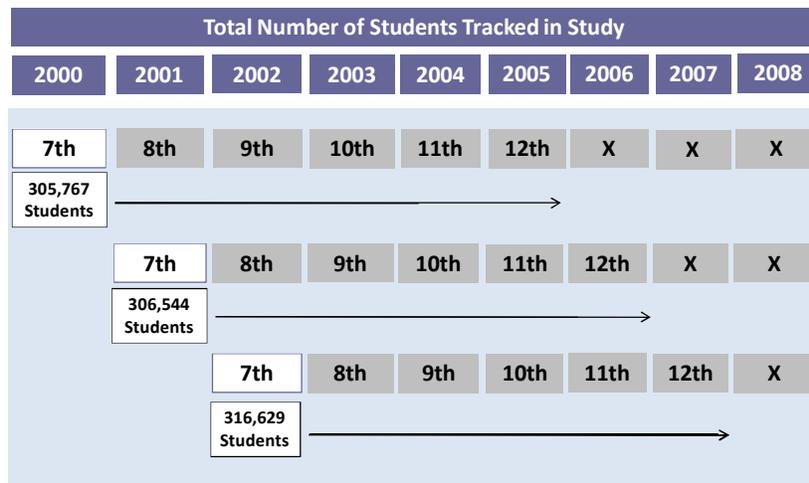
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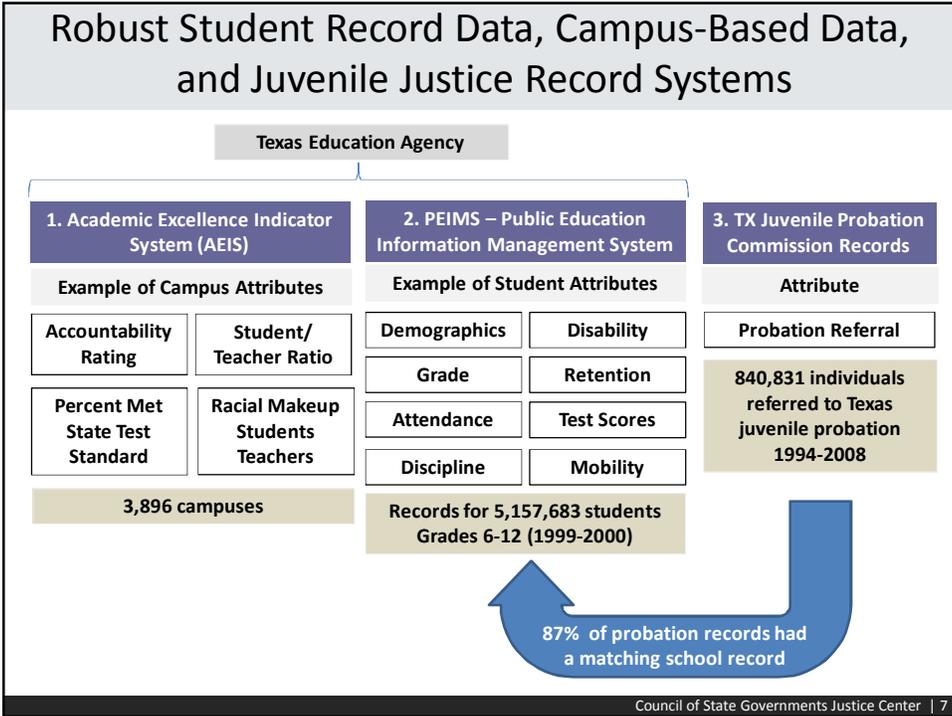


## Texas and New York Have Similar Demographics When Examining School Discipline Issues

	Texas	New York
<b>Exceptionally large school system</b>	Approximately 5 million students 1,200 school districts 1 in 10 public school students in US	Approximately 3 million students 1,000 school districts
<b>Diverse student population</b>	40% Hispanic 43% White 14% African-American 3% Other	22% Hispanic 50% White 19% African-American 9% Other

## Study Follows Over 900,000 Students





## Definition of Terms

<b>In-School Suspension (ISS)</b>
Removal of student from the classroom to a designated on campus room for a short duration or for several days
<b>Out-of-School Suspension (OSS)</b>
Removal of student from the campus for no longer than three days (but no cap on the number of OSS in a school year)
<b>Disciplinary Alternative Education Program (DAEP)</b>
Removal or expulsion of student from campus for longer than three days to an alternative education campus
<b>Juvenile Justice Alternative Education Program (JJAEP)</b>
Removal or expulsion of student for delinquent conduct to a juvenile justice system operated school in the largest counties in the state

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## 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).

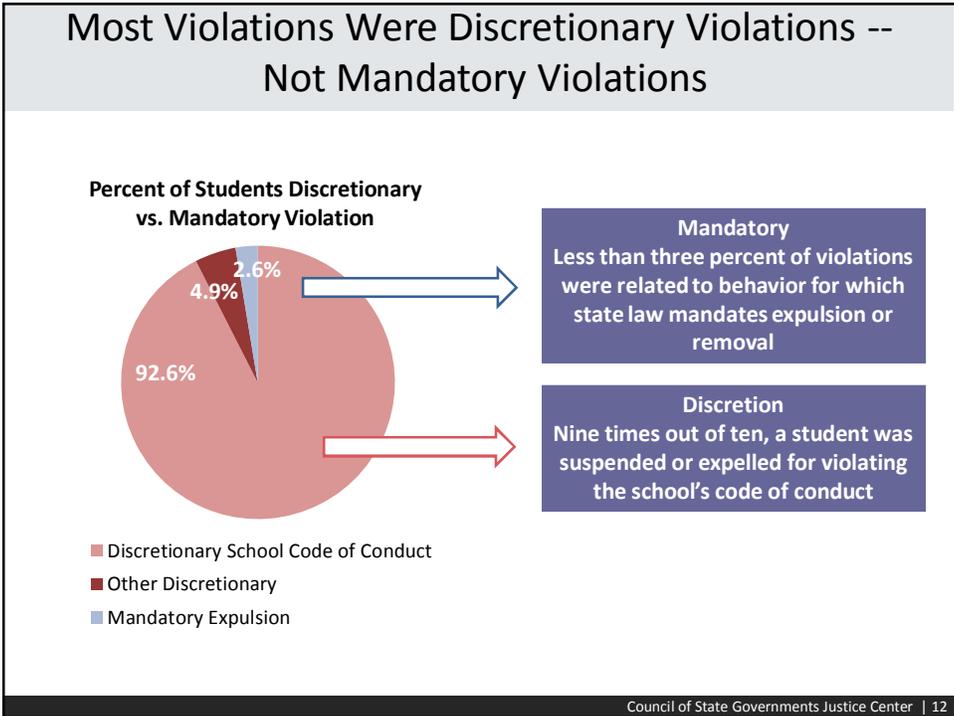
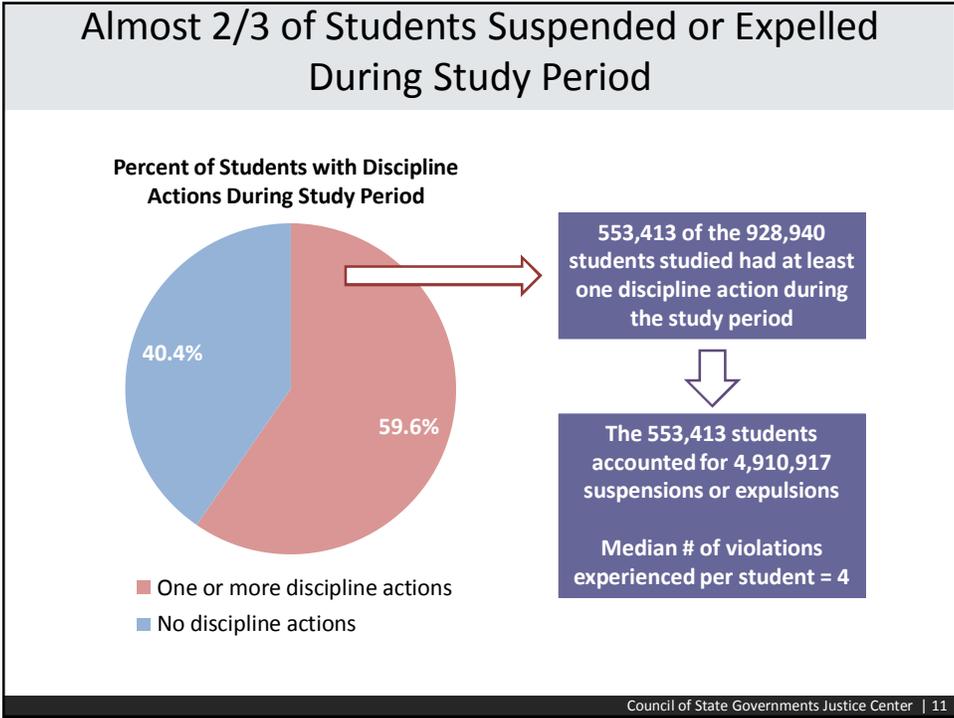
### Mandatory Discipline Actions

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

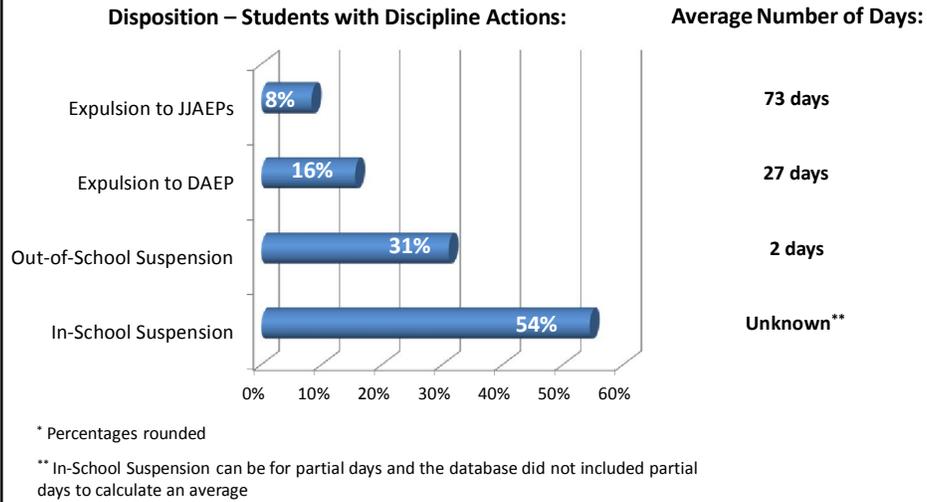
Examples: Use of firearms on school grounds, aggravated assault, or sexual assault

## Finding 1

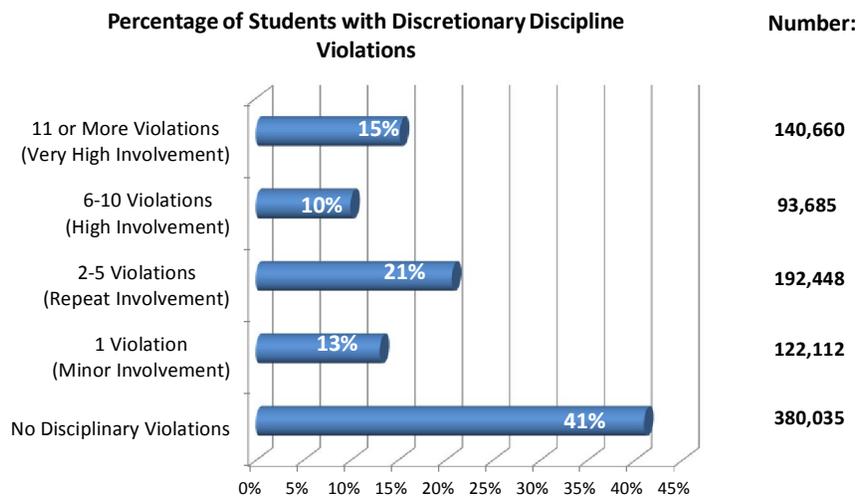
**Number of Students Involved in Discipline Actions and Type of Dispositions**



## ISS Was Disposition Most Commonly Experienced



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

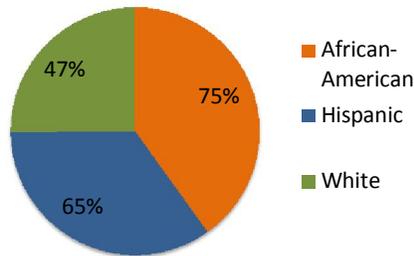


## Finding 2

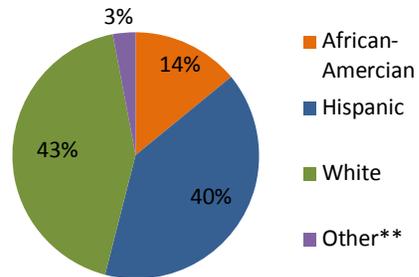
### Disproportionate Impact Race

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

**Percent of Students with One or More Discipline Action During Study Period**

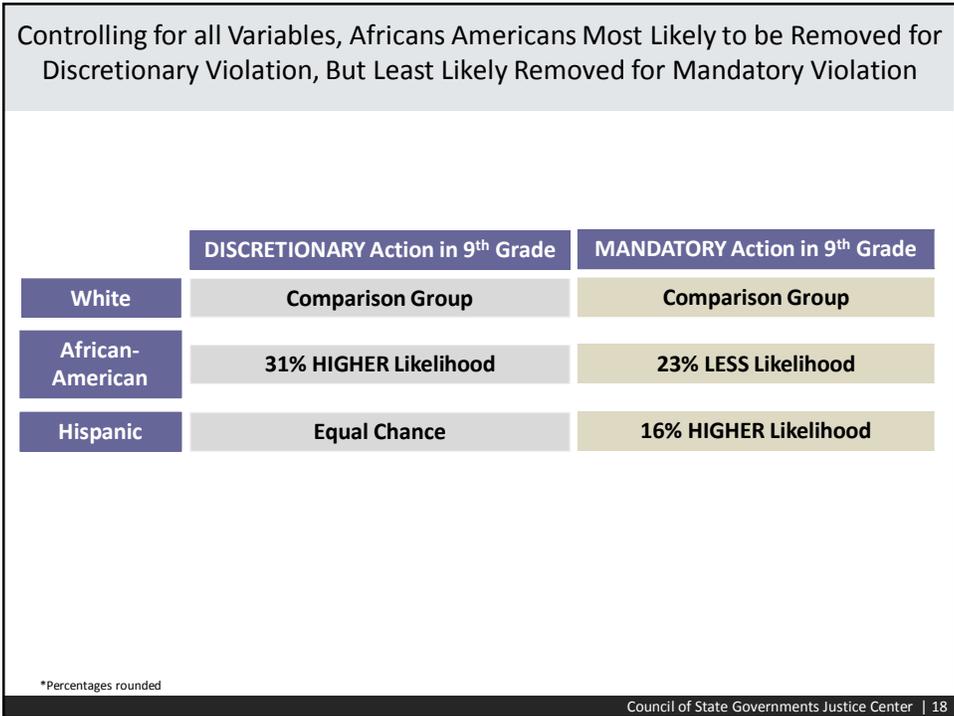
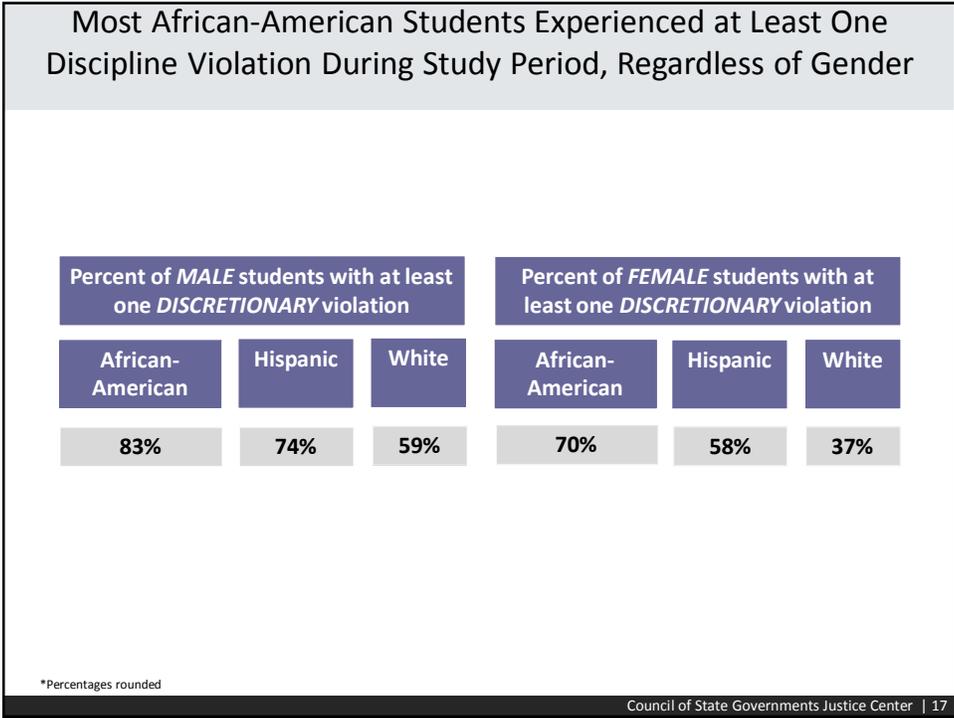


**Racial / Ethnic Distribution of Study Group**



\*Percentages rounded

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



# Finding 3

## 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 4

### Juvenile Justice Involvement

## Juvenile Justice Contact Among Students Common

More than one in seven (15%) of all students had a juvenile justice contact

	Percent of Males	Percent of Females	Total
African-American	26%	14%	20%
Hispanic	22%	13%	17%
White	14%	8%	11%

\*Percentages rounded

## More Discipline Actions, Higher Percentage of Juvenile Justice Contacts

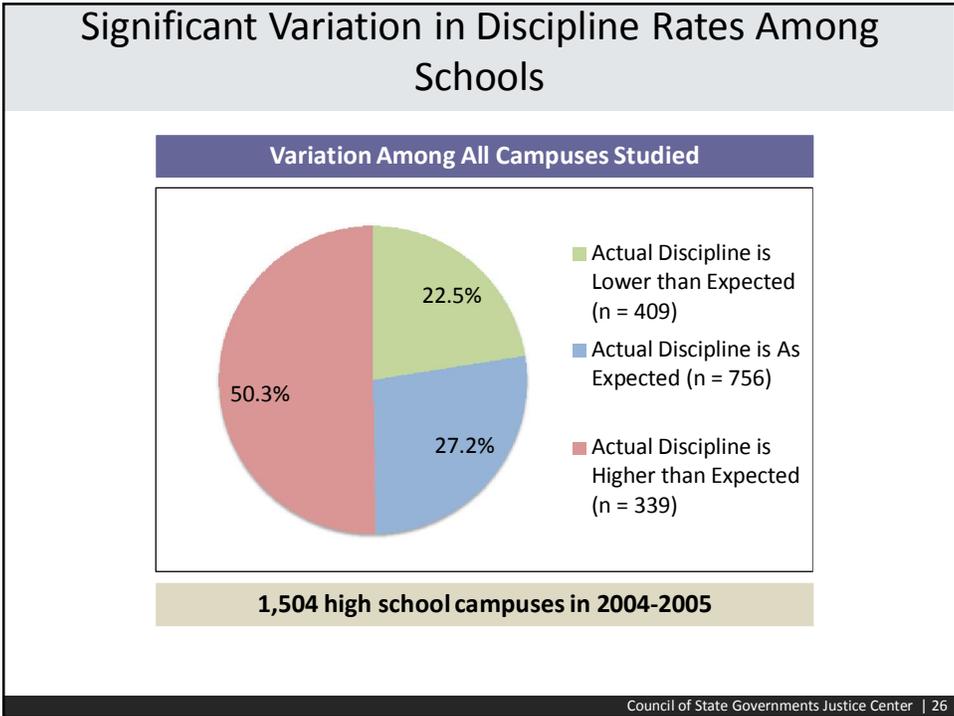
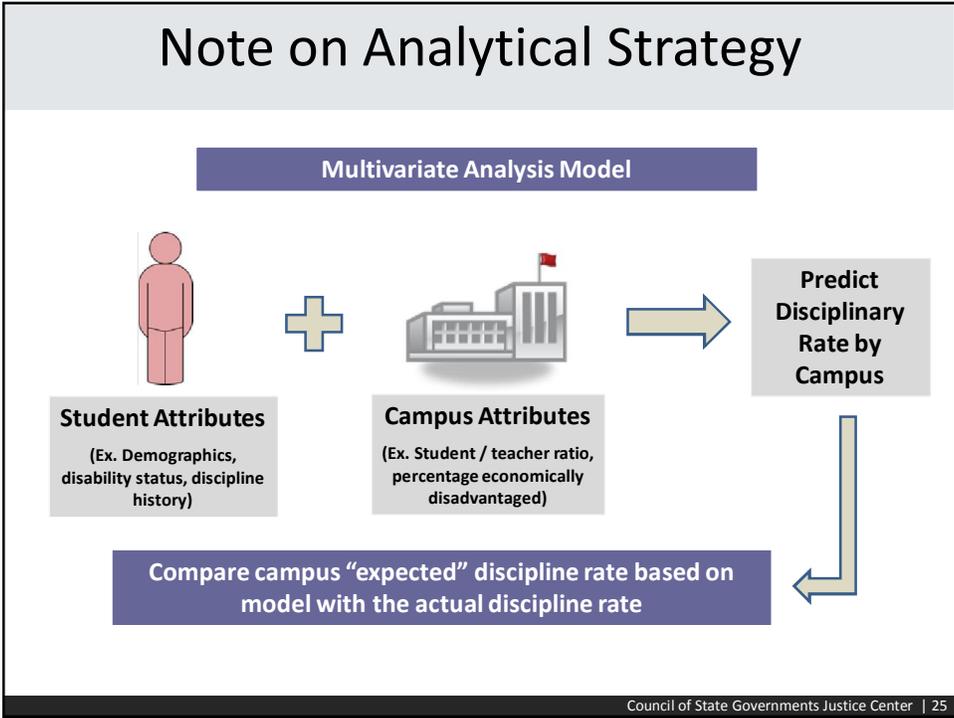
Percent of Students with Juvenile Justice Involvement	Discipline Involvement				
	None	1 Violation	2-5 Violation	6-10 Violation	11+ Violation
	2%	7%	15%	27%	46%

**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

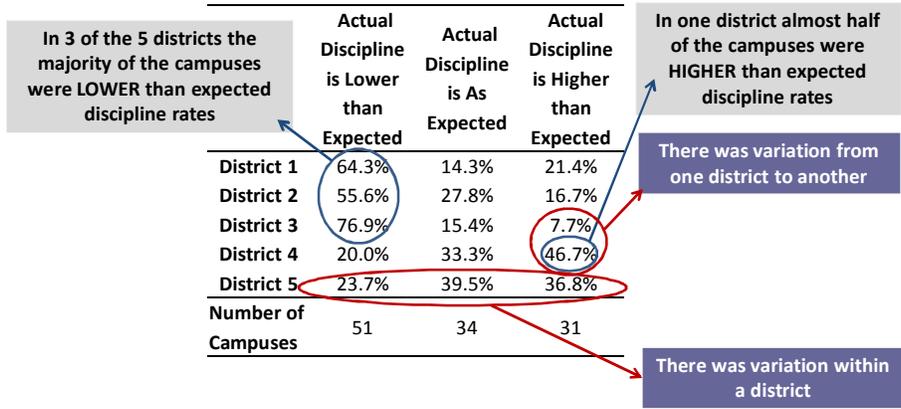
## Finding 5

**Campus Based Examination**



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

### Variation Among 116 Campuses Studied in Five Populous School Districts



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## Summary

- ✓ Majority of students are suspended or expelled between 7<sup>th</sup> and 12<sup>th</sup> 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

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## 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?

## Overview

Unprecedented statewide study demonstrates need to reduce suspensions and expulsions



Local, State, and National Efforts to Improve Approach to School Discipline

School Discipline Consensus Project

## US Cabinet Officials Announce “School Discipline Initiative”

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

Consensus Building	Federal Guidance
Research and Data Collection	Technical Assistance



## U.S. Senate Judiciary Hearing Convening on School Discipline December 12, 2012



## Report from the President Highlights Importance of School Discipline



### CREATE A SAFER CLIMATE AT SCHOOLS ACROSS THE COUNTRY

A report issued by the U.S. Secret Service and the Department of Education after the Columbine shooting found that one of the best things schools can do to reduce violence and bullying is to improve a school's climate and increase trust and communication between students and staff. Fortunately, we already have evidence-based strategies which have been found to reduce bullying and other problem behaviors like drug abuse or poor attendance, while making students feel safer at school and improving academic performance.

- **Help 8,000 schools create safer and more nurturing school climates:** With technical assistance from the Department of Education, 18,000 schools have already put in place

12

evidence-based strategies to improve school climate. These strategies involve certain steps for the whole school (like consistent rules and rewards for good behavior), with more intensive steps for groups of students exhibiting at-risk behavior, and individual services for students who continue to exhibit troubling behavior. The Administration is proposing a new, \$50 million initiative to help 8,000 more schools train their teachers and other school staff to implement these strategies. The Administration will also develop a school climate survey, providing reliable data to help schools implement policies to improve climate.

- **Share best practices on school discipline:** Students who are suspended or expelled are far more likely to repeat a grade, not graduate, or become involved in the juvenile justice system. As a result, effective school discipline policies are critical to addressing school and community crime and violence issues. The Department of Education will collect and disseminate best practices on school discipline policies and help school districts develop and equitably implement their policies.

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## School officers can no longer issue on-campus citations

### ★ THE TEXAS TRIBUNE

Public school students in Texas who have chewed gum in class, talked back to teachers or disrupted class have often received citations from school police officers. Beginning in September, students who engage in such levels of misbehavior will face discipline in a different manner.

While school administrators and teachers have traditionally handled student discipline, some school districts in Texas over the years have allowed school police officers to deal with certain types of misbehavior by charging students with Class C misdemeanors, a practice commonly referred to as student ticketing. Students charged must appear before a county or municipal judge and can face fines of up to \$500 if found guilty by a judge.

Students who do not pay their fines could be arrested as soon as they turn 17 years old. Even if students pay the fines, the offenses could still appear on their criminal records.

The Legislature took steps this year toward decriminalizing such misbehavior at school with [Senate Bill 393](#) by Sen. [Royce West](#), D-Dallas. The measure prevents school police officers from issuing citations for misbehavior at school, excluding traffic violations. Officers can still submit complaints about students, but it will be up to a local prosecutor whether to charge the student with a Class C misdemeanor.



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## States Enacting New Laws to Improve Approach to School Discipline



**Establishes alternatives to police involvement in school discipline matters.**



**Caps maximum number of days for out-of-school suspension and improves school discipline data collection.**



**Reforms school discipline and ending zero-tolerance policies.**



**Requires districts to collect and report on school discipline data, examine disparities, and implement positive alternatives to suspension.**

## Overview

Unprecedented statewide study demonstrates need to reduce suspensions and expulsions

Local, State, and National Efforts to Improve Approach to School Discipline

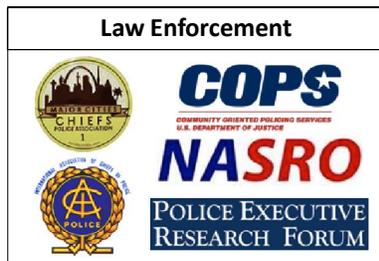


School Discipline Consensus Project

## Consensus-Building Project Support



## Consensus-Building Project Participants



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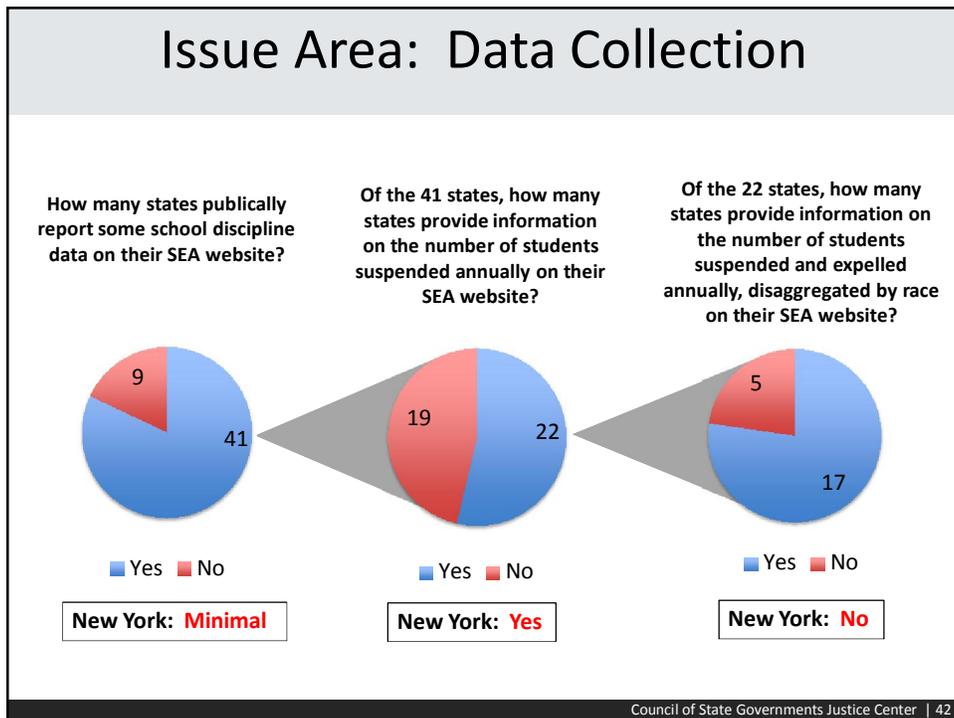
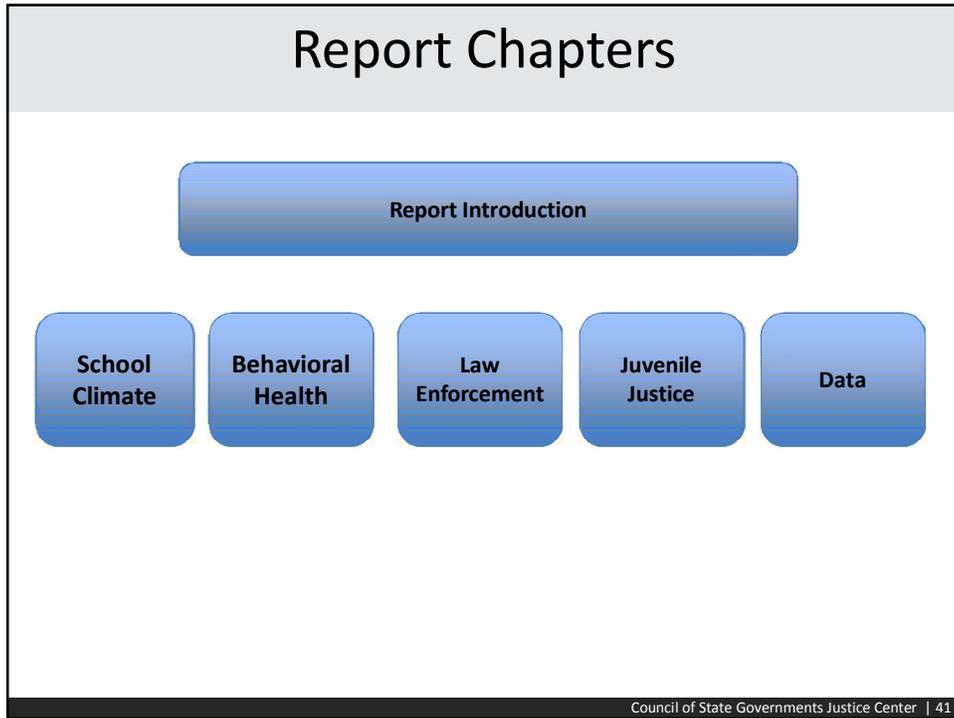
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## Deliverable

A comprehensive set of recommended policies that, if implemented with rigor, would improve the effectiveness of school discipline systems by:

- *making schools safer,*
- *improving students' academic performance,*
- *minimizing the dependence on suspension, expulsion, arrests and referral to the courts,*
- *Reducing students' involvement in the juvenile justice system*

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## Issue Area: Data Collection

**What information should states track regarding suspension and the performance of schools (and school districts) discipline systems?**

### Data Collection in New York

# of students experiencing suspension?	Frequency individual students experience suspension?	Offense	Race or Ethnicity
Yes	Yes	No	No

Gender	Special Ed	Grade or School Level	Statewide	District	Campus
No	No	No	Yes	Yes	Yes

## Issue Area: School Climate

**How should schools respond to non-serious forms of student misconduct?**

### DAILY NEWS

**Revised school disciplinary code encourages counseling, protects special needs students**

Guidelines for the 2013-2014 school year state that counseling and mediation 'must be considered' by school staff when students engage in misconduct.

### THE HUFFINGTON POST

**New York School Disciplinary Code Revised To Soften Rules Governing Suspension**

# Issue Area: Behavioral Health

## How can schools/districts better use data to serve the needs of students with more targeted and intensive behavioral health issues?

# Issue Area: Law Enforcement

## What is the appropriate role of police in schools?

### New Vision for School Safety in NYC Public Schools



**SSC student safety coalition**  
graduation not incarceration

**A New Vision for School Safety**

Good schools do more than teach students safe from physical harm. They provide children with the support they need to learn and thrive. An effective school district's efforts should protect students from harm and promote healthy, thriving students. Students who have been pushed away from their schools and into the criminal justice system.

Coordination between school personnel and a school safety officer (SSO) must be on the agenda of all efforts to ensure the development of a plan, and every effort should be made to ensure that the plan is implemented. The Department of Education and the New York State Police Department have their school safety agreement in line with the following principles:

1. The use of force by school district personnel can and should be handled by educators, not by police officers.
2. SSOs should work with school staff to address behaviors where there is a real and immediate threat to the physical safety of members of the school community.
3. School staff should address student misbehavior through de-escalation techniques and guidance interventions.
4. Teachers, through regular and ongoing meetings, receive under 1000 hours of training, under the direction of school staff, and can have training opportunities for students.
5. Principals, teachers, students and other school community members should have a meaningful voice in decisions about school safety. School safety should be a goal of all efforts to improve school safety and security, not an end in itself.
6. Schools should work and operate in partnership with the police in a way that is consistent with the goal of reducing school safety incidents.
7. Strategies of the school community, including guidance and prevention, must be able to access and coordinate with the School Safety Division and other law enforcement.
8. For schools to ensure safety that reflect those principles, school staff and SSOs must receive meaningful training, including in the areas of crisis intervention, and de-escalation techniques, cultural competency and diversity, supporting students with disabilities, and mental health and response to crisis and emergencies.
9. School policies, including training for SSOs, should be created and implemented with input from all members of the school community, including students and parents, to make sure that they are created and maintain a safe, secure, nurturing and orderly school environment.

## Issue Area: Juvenile Justice

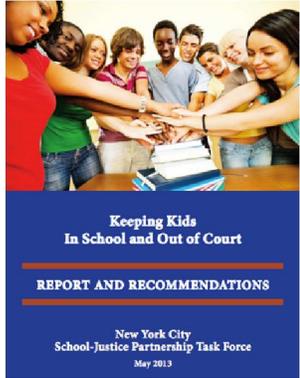
**What should be done to minimize the number of students referred to the juvenile justice system by schools for “minor misconduct”?**

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## Timeline

**When will the report be released?**

## Why Will This Be a Big Deal?



Attendance



Achievement Gap



Drop Out Rate



School Safety

## Thank You

Report at:

[www.justicecenter.csg.org](http://www.justicecenter.csg.org)

[mthompson@csg.org](mailto:mthompson@csg.org)

[nsalomon@csg.org](mailto:nsalomon@csg.org)

[emorgan@csg.org](mailto:emorgan@csg.org)

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