

## Discipline Disparities: Implications for School Practice and Policy

By Rhonda Barton and Vicki Nishioka

Efforts to prepare students for college, careers, and civic life can only be successful if they're carried out in a safe and welcoming learning environment. As noted by the US Department of Education, "no school can be a great school...if it's not first a safe school" (2014, p.1). Creating and enforcing a clear and equitable discipline policy plays an important role in ensuring that all students are afforded the opportunity to reach their full potential.

For more than three decades, however, research has documented a gap between how discipline is assigned to students of color versus their white peers (Indiana University, 2014). Recently, the issue came into sharper focus with the [release of school discipline data](#) by the US Department of Education Office for Civil Rights (2014). The data from 2011–2012, reported in a state-by-state snapshot, showed that nationally:

- Black students are suspended or expelled at three times the rate of their white classmates: 16% of black students are subject to exclusionary discipline as opposed to 5% of white students.
- While American Indian and Alaska Native students make up less than 1% of the student population, they account for 2% of out-of-school suspensions and 3% of expulsions.
- Boys receive more than two out of three suspensions, but black girls are

suspended at higher rates (12%) than most boys as well as girls of any other race or ethnicity.

- Students with disabilities (i.e., those served by IDEA) are more than twice as likely to receive out-of-school suspensions as students without disabilities (13% versus 6%).

Another [report by the Civil Rights Project](#) (Losen & Martinez, 2013) estimated that one out of every nine secondary school students was suspended at least once during the 2009–2010 school year. For black secondary students the figure was one in four for the same period. Analyzing data from more than 26,000 US middle and high schools, the authors maintained that the vast majority of suspensions were for "minor infractions of school rules, such as disrupting class, tardiness, and dress code violations, rather than violent or criminal behavior" (Losen & Martinez, 2013, p. 1). Losen and Martinez did not cover serious incidents in their report, which they described as rare and typically penalized by expulsion.

The [School Discipline Consensus Project](#) also makes the point that serious incidents are uncommon and that students often receive suspensions for minor offenses. According to the researchers, "There is no question that when students commit serious offenses or pose a threat to school safety they may need to be removed from the campus or arrested. Such incidents, however, are relatively rare

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## Resources From the Federal Government

The US Department of Education offers a number of resources featuring promising practices to help schools improve school discipline and safety:

[Dear Colleague](#) is a guidance letter produced in partnership with the US Department of Justice that outlines how schools can meet their obligations under Civil Rights laws to administer discipline without regard to students' race, color, or national origin.

[Directory of Federal School Climate and Discipline Resources](#) provides an extensive list of research documents, products, and tools, including trainings, webinars, and brochures.

[Compendium of School Discipline Laws and Regulations](#) compares school discipline laws from the 50 states, Washington, DC, and Puerto Rico.

The nation's 10 regional [Equity Assistance Centers](#) also offer assistance to public schools throughout the nation in the areas of race, gender, and national origin equity to promote equal education opportunities.

and school typically remains the safest place a young person can be during the day” (Morgan, Salomon, Plotkin, & Cohen, 2014, p. ix).

In addition to raising concerns about students' civil rights, discipline disparities contribute to negative student outcomes, including increased risk of dropout, lower academic achievement, and higher rates of juvenile delinquency (Indiana University, 2014). In fact, research has shown that students who are suspended even once in ninth grade are twice as likely to drop out (Balfanz, Byrnes, & Fox, 2012). This Principal's Research Review discusses research aimed at documenting the incidence of discipline disproportionality and finding ways to address the problem through changes in policy and practice.

## The Extent and Cost of Exclusionary Discipline

Exclusionary discipline (i.e., suspension and expulsion) has increased overall in the last four decades. In 2009–2010, 11.3% of secondary school students across the country were suspended, up from 8% in 1972–1973 (Losen & Martinez, 2013). During that same period, disparities in how different subgroups of students were disciplined grew at an even greater pace: suspension rates for black middle and high school students went up by 12.5 percentage points (from 11.8% to 24.3%) and only by 1.1 points for white students (from 6% to 7.1%). That means that the overall discipline gap between black and white students grew by more than 17 points.

Losen and Martinez's report (2013) identified 10 “hotspot” districts with the largest number of high-suspending secondary schools, which they defined as those suspending more than a quarter of any group. Chicago topped the list at 82 schools, but districts in Tennessee, Nevada, California, Texas, Ohio, Maryland, North Carolina, and Kentucky were also highlighted.

Two recent [Regional Educational Laboratory \(REL\) studies](#) show that discipline disproportionality is an issue in widely dispersed locales. An [assessment of trends in Maryland](#) by REL Mid-Atlantic (Porowski, O'Conner, & Passa, 2014) concluded that while the total number of suspensions and expulsions declined from 5.6% in 2009–2010 to 5% in 2011–2012, black students were suspended or expelled at more than twice the rate of their white classmates in Maryland public schools. The analysis also found that black students were more likely to be suspended or expelled than white or Hispanic students for the same type of infraction. Likewise, special education students were removed at more than twice the rate of other students.

A REL Northwest study (Burke & Nishioka, 2014) that examined suspension and expulsion [patterns in six Oregon school districts](#) in 2011–2012 found similar results. The percentage of students receiving exclusionary discipline was higher for American Indian, black, Hispanic, and multiracial

students than for white students. The percentage was also higher for special education students than for students not in special education. In addition, 2.5 times more male students than female students were suspended or expelled. The Oregon study also showed that physical and verbal aggression and insubordination/disruption were the most common reasons students were excluded from school.

Both REL studies noted that loss of instructional time associated with suspension and expulsion was a serious concern for educators, a fact that has been borne out by research over a number of years. Studies have shown that schools with a higher percentage of students receiving suspensions and expulsions have lower levels of achievement (Eitle & Eitle, 2004; Raffaele Mendez, Knoff, & Ferron, 2002) and environments less conducive to learning (Steinberg, Allensworth, & Johnson, 2011). In addition, students who had been suspended were more likely to repeat a grade, drop out, and become involved in the juvenile justice system (Fabelo et al., 2011; Lee, Cornell, Gregory, & Fan, 2011). Some studies have identified exclusionary discipline as a primary component of the “school to prison pipeline” (Anfinson, Autumn, Lehr, Riestenberg, & Scullin, 2010).

### The Impact of Zero Tolerance

Researchers have pointed out that the popularization of “zero tolerance” or no-nonsense policies during the last two decades may have contributed to the increase in exclusionary discipline and the disparities in how different groups of students are penalized for misbehavior. Skiba has argued that “the message of zero tolerance is intuitively appealing” (Skiba, 2012, p. i): the paramount need to safeguard our children has compelled us to apply more severe penalties when students disrupt the school environment. He goes on to say, however, that 20 years of data have disproved the theory that school exclusion makes our schools safer: “Instead, the data suggest that suspension, expulsion, and increased use of law enforce-

ment in school settings are themselves risk factors for a range of negative academic and life outcomes” (Skiba, 2012, ii).

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As an alternative to zero tolerance, Skiba and others have advocated for a comprehensive model of preventive discipline and behavior support that targets three levels of intervention simultaneously. The first level comprises schoolwide prevention efforts such as conflict resolution, parental involvement, and improved classroom management. The second level involves

an assessment of how serious threats of violence are and interventions for at-risk students such as mentoring, anger management screening, and instruction in pro-social skills. The last level includes putting procedures in place to respond if and when disruptive or violent behavior occurs: a schoolwide discipline plan, individual behavior plans, and systems for collaborating with juvenile justice and other support systems (Skiba, 2012, viii).

### Improving School Climate

The recent School Discipline Consensus Report (Morgan et al., 2014) offered more than 60 recommendations for how schools could retool their current approaches to school discipline. Based on interviews with more than 100 advisors from education to law enforcement to juvenile justice to health organizations, the recommendations center on four interconnected goals:

- Improving conditions for learning
- Providing targeted interventions to meet students’ behavioral, health, and related needs
- Establishing appropriate, collaborative school-police partnerships
- Finding alternatives to referring students to the juvenile justice system

The report concluded that, “Any strategies to reduce suspensions and expulsions must be nested in a comprehensive effort to provide conditions where teachers and students are engaged and the school community finds the environment safe and welcom-

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**Principal's Research Review** is a publication of NASSP, 1904 Association Dr., Reston, VA 20191-1537. Telephone 703-860-0200. Fax 703-476-5432. Website [www.nassp.org](http://www.nassp.org).

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ing. Schools that only lower suspension rates and declare success without regard for these other factors may be simply trading one set of problems for another” (Morgan et al., 2014, p. 3).

The US Department of Education (2014) also recently released [guidance for improving school climate and discipline](#), including resources that can be used by states, schools, and districts to craft their own solutions to enhance school safety (see sidebar). According to the Department of Education, high-achieving schools share common characteristics when it comes to creating a safe and supportive environment: “These schools take deliberate steps to create positive school climates and prevent student misbehavior; ensure that clear, appropriate, and consistent expectations and consequences are in place to prevent and address misbehavior; and cultivate an expectation of continuous improvement driven by data and analysis to ensure fairness and equity for all students” (US Department of Education, 2014, p. 1).

To create these conditions, schools should first identify school climate goals that complement their academic goals, incorporating input from staff, families, students, and community members. With the goals in mind, schools should then develop evidence-based strategies such as implementing tiered supports and social-emotional learning programs;

using school-based mental health professionals as resources; and carefully structuring partnerships with health, social service, and law enforcement agencies. A schoolwide discipline policy that is focused on prevention and establishing a warm and welcoming learning environment for each and every student is a key component for success. The discipline policy should include input from families. Concerns about school behavior should involve families early and ensure transparent communication, along with ongoing professional development that helps staff engage students, promote positive behavior, and respond appropriately if discipline problems occur. Finally, schools should commit to regular evaluation of their discipline policies, practices, and progress in monitoring toward their school climate and discipline goals (US Department of Education, 2014).

Other practices and policies identified by research as helping to reduce discipline disparities include identifying and promoting culturally responsive teaching and learning strategies that improve engagement and support learning for students of color; limiting the use of exclusionary discipline to situations that pose a serious and credible threat to the physical safety of students and others; and revising current discipline policies to focus on prevention, maximizing instructional time, and prioritizing student learning with peers. An additional recommended strategy is to use a graduated set of discipline responses that focuses on prevention, early intervention, and staff and student supports to create a more just learning environment.

### Conclusion

Creating safe schools involves difficult decisions about what steps are necessary to protect the school community while ensuring that students are not punished inequitably for misbehavior. A steady increase in exclusionary discipline and disproportionate application of who receives it forces school leaders to question the effectiveness and fairness of their discipline policies and practices.

In examining these issues, schools should be guided by the research showing that high expecta-

## What School Leaders Can Do Right Now

The [Oregon Leadership Network](#) (OLN) is a statewide partnership of districts, local and state education agencies, and other partners dedicated to leadership for equity. Reducing disproportionality in school discipline is one of its main priorities, along with increasing graduation rates for all students. In a recent call to action, the OLN recommended these evidence-based steps for closing the discipline gap:

- **Recognize the problem and commit to addressing it.** Understand how disparities in school disciplinary actions are a problem across the nation and work on this problem in your own setting.
- **Use data.** Regularly analyze your current discipline data by race/ethnicity and other student characteristics to monitor progress and guide improvement decisions.
- **Revise current discipline policies and practices** to focus on reducing suspensions overall and eliminating discipline disparities.
- **Provide professional development opportunities** to educators about prevention strategies and alternatives to suspensions.
- **Collaborate with and learn from other educators and districts,** holding one another accountable for promoting positive change.
- **Be a leader.** Strengthen your leadership skills and use them to inspire collective work to eliminate inequities in disciplinary actions.

One OLN school district, Beaverton, has focused specifically on addressing this issue in middle schools after a research study conducted by REL Northwest showed grade 6–8 students experienced the highest rates of suspension and expulsions overall, as well as the greatest disparities among students who were disciplined (see Burke & Nishioka, 2014). Sho Shigeoka, the district’s equity coordinator, began monthly meetings with middle school principals to share promising practices around establishing positive learning environments for each student. The 60- to 90-minute meetings honed in on ways to give feedback and support to teachers who frequently used exclusionary discipline as a classroom management tool, particularly for students of color.

According to Highland Park Middle School Principal David Nieslanik, the explicit conversations and sharing have made a difference. “Where we are in our understanding is that we want to keep kids in school,” said Nieslanik. “The eight middle schools in the Beaverton School District are committed to this. In our monthly meetings, we always talk about problems of practice around discipline. We share data, celebrate successes, and talk about what we can do better.”

The district has seen a significant decrease in the total number of days students spend out of the classroom because of disciplinary actions. Shigeoka said that having data that clearly defined the extent of the problem served as a catalyst for action and helped people realize “each one of us serves as a change agent.”

tions, positive and caring teacher-student relations, and structured learning environments were consistently associated with lower rates of suspensions. Schools that explicitly teach students academic, behavior, and social expectations also reported fewer discipline problems. Schools with low suspension

rates also used a continuum of discipline responses, had more structure, and implemented well-organized routines. [PRR](#)



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