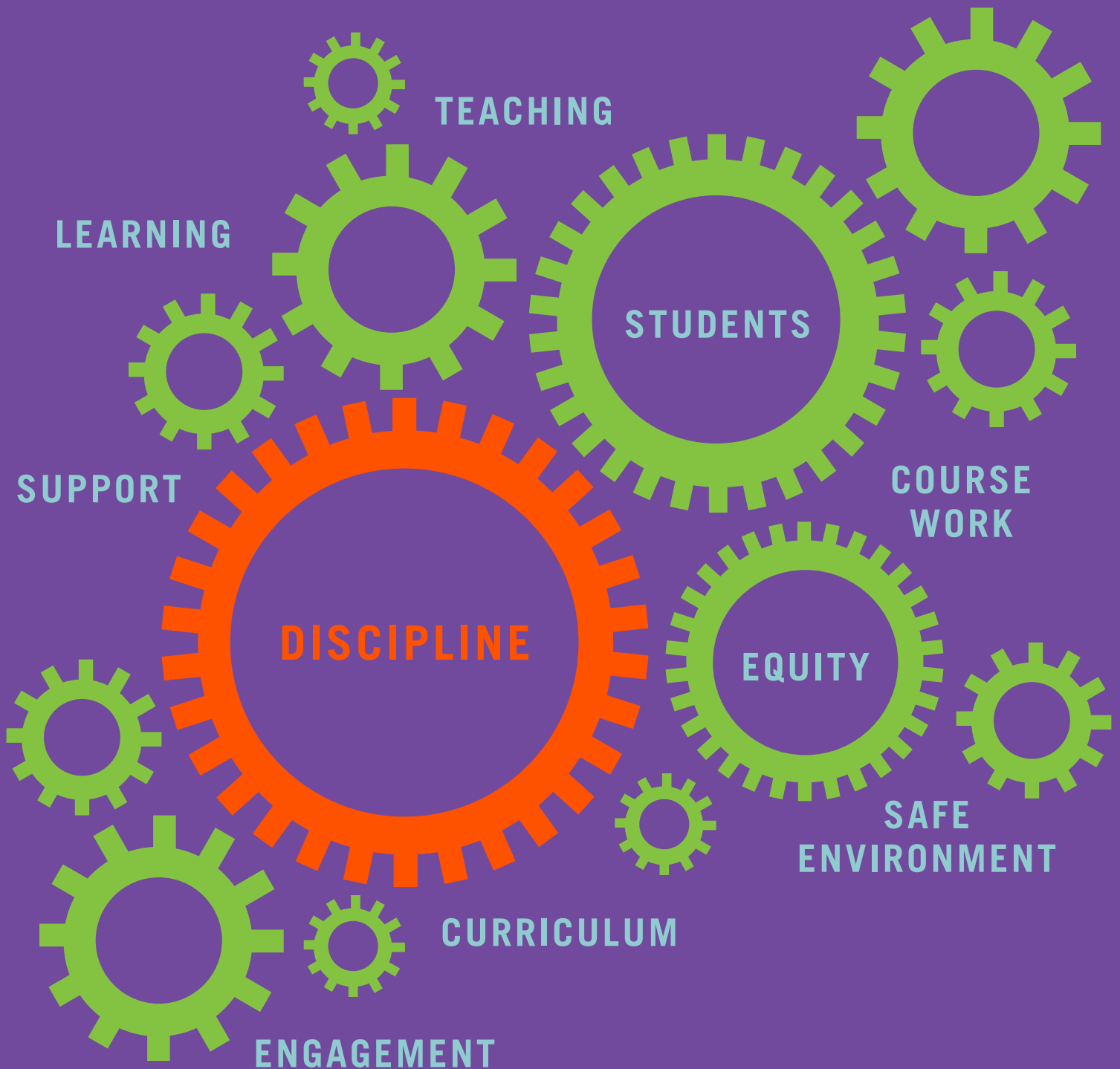




CLIMATE CHANGE:

Implementing School Discipline Practices That Create a Positive School Climate

SEPTEMBER 2013



“ I FEEL THAT MAYBE OUR EDUCATION ISN’T AS VALUABLE, MAYBE THEY FEEL AS IF WE CAN’T AMOUNT TO ANYTHING ... BEFORE WE CAN SCREAM, ‘RESOURCES, RESOURCES,’ WE NEED TO HAVE STUDENTS INSIDE THE SCHOOLS.”¹

— T. FINLEY, STUDENT

INTRODUCTION

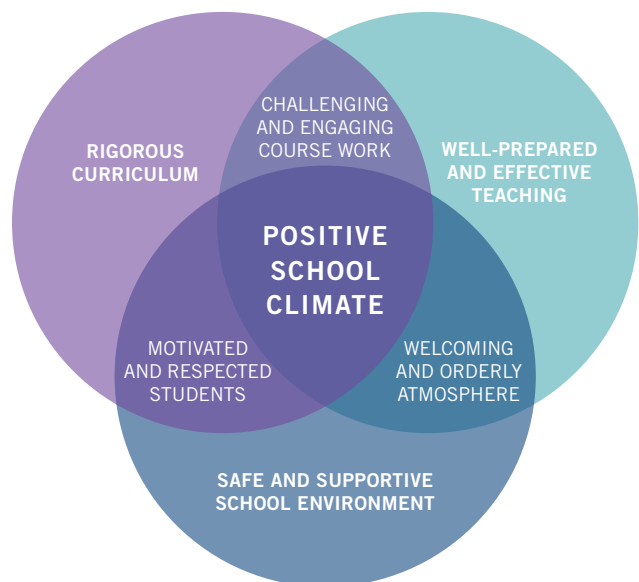
Across the country, many students are attending high schools that provide a high-quality education that prepares them for college and a meaningful career. Yet far too many students, particularly those who live in high-poverty communities or are students of color, are not receiving an equally high-quality education. At the nation’s highest-poverty schools, which serve the majority of the nation’s students of color, student reading levels are comparable to the world’s lowest-achieving countries.² With the percentage of students of color in the United States currently at 48 percent,³ and rising, the nation must focus on increasing student achievement, closing achievement gaps, and graduating more students from high school ready for college and a career.

Closing achievement and graduation rate gaps requires comprehensive school reform that includes a focus on a positive school climate that meets and develops the

academic, social, and emotional needs of every student. Doing this means addressing the multiple factors that can negatively affect school climate. One of these factors is student discipline policies that keep too many students out of school and away from the classroom, causing them to lose critical learning time. As the majority of states begin implementing more rigorous standards, success in meeting those standards depends on students being engaged and in school.

This paper, the second in the Alliance for Excellent Education’s Climate Change series, will discuss the state of school discipline policies nationwide. This paper describes

- student discipline data;
- school discipline policies, specifically the ineffective policies that are disproportionately applied to certain subgroups of students;
- the consequences of these ineffective policies on student engagement and achievement; and
- recommendations for more effective and equitable practices that keep students in school and foster a positive school climate for all students and staff.^a



^a For the purpose of this work, the Alliance for Excellent Education defines “positive school climate” as an environment that reflects a commitment to meeting and developing the academic, social, and emotional needs of every student.

THE STATE OF STUDENT DISCIPLINE

Who Is Being Disciplined?

The 2009–10 Civil Rights Data Collection of the U.S. Department of Education’s Office for Civil Rights highlights an important reality: students of color, students with disabilities, and English language learners (ELLs) are suspended and expelled at higher rates than their white peers.⁴ According to the Center for Civil Rights Remedies, one out of every four African American secondary school students, nearly one out of every five students with disabilities, and one out of five ELLs was suspended at least once during School Year (SY) 2009–10, compared to one in sixteen white students without disabilities.⁵ Among the 100 largest school districts in the nation, the rates of suspension for male students of color with disabilities in many instances exceeded 33 percent.⁶ In the city of Chicago in SY 2009–10, 73 percent of African American males with disabilities were suspended one or more times, compared to 20 percent of white males with disabilities.⁷ Further, although African American and Latino students comprise 16 percent and 24 percent of the nation’s public school-age student population respectively, they represent more than 70 percent of the students who are involved in school-related arrests or referred to law enforcement by the school. **Students of color, students with disabilities, and ELLs are disproportionately suspended compared to their white and non-disabled peers.**

What Are They Being Disciplined for?

In addition to being suspended at higher rates than their white peers, students of color and ELLs without disabilities are also being disciplined for less serious

1 in 4



African American secondary school students, nearly

1 in 5



students with disabilities, and

1 in 5



ELLs was suspended at least once during School Year 2009–10,

compared to

1 in 16



white students without disabilities.

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or harmful^b behavior.⁸ Several studies demonstrate that African American students are suspended more harshly and for less serious and more subjective types of offenses compared to white students.⁹ According to four individual studies, white students were referred much more frequently for offenses that are more easily identified objectively, such as smoking, vandalizing property, and leaving school grounds without permission, while African American students were more often referred for subjective behaviors, such as disrespect, excessive noise, and loitering.¹⁰

In New York City during SY 2011–12, more than 95 percent of the arrests made by the New York City Police Department’s School Safety Division personnel were of

^b In general, whereas only 5 percent of out-of-school suspensions are given for serious or dangerous disciplinary incidents, such as possession of a weapon or drugs on campus, 95 percent are given for disruptive behavior or willful defiance, or simply classified as “other.” See D. Losen and R. J. Skiba, *Suspended Education: Urban Middle Schools in Crisis* (Montgomery, AL: Southern Poverty Law Center, September 2010).

African American or Latino students,¹¹ even though they make up 69 percent of the student population (30 percent of students are African American and 39 percent are Latino).¹² Sixty percent of these arrests were for disorderly conduct, which is a catchall category that encompasses typical student misbehaviors such as writing on desks and horseplay.¹³ Further, one in five of the arrested students was between the ages of eleven and fourteen. **The majority of suspensions are disproportionately given to students of color and for less serious and more subjective behavior than their white peers.**

How Are They Being Disciplined?

The punishment for these nonviolent offenses is often unaligned or inappropriate for the offense committed. Many schools, districts, and states expel students, transfer them to alternative schools, arrest them, or issue them a ticket for certain nonviolent infractions. For example, Texas has used the criminal justice system to deal with student truancy. This approach has resulted in the prosecution of more than 36,000 students from just four school districts,¹⁴ with some children as young as twelve being prosecuted as adults.^c

These disciplinary approaches can in some instances extend beyond the student. In Michigan and Illinois, parents can be fined and required to serve jail time for their student's truancy,¹⁵ with penalties for parents ranging from \$500 to \$1,500 in fines and up to ninety days in jail.¹⁶ While this approach may reflect the state's tough attitude toward truancy and related behavior, it fails to address the reasons why the student is missing school or how to reengage the student so that she wants and is able to attend school. Student truancy could be the result of safety concerns, such as bullying or harassment; family obligations, such as providing care for a sibling or child or caring for an ill family member; or some other reason that requires a supportive rather than punitive response.

There is little evidence that suspensions and jail time are effective at improving student behavior or decreasing minor violations of school rules. Moreover, there is strong evidence of a positive correlation between the number of suspensions and academic disengagement. One related study shows that of all the factors measured, academic disengagement has the strongest relationship with disciplinary referrals,¹⁷ resulting in a continual cycle of disengagement, disciplinary referrals, and loss of learning time.

The increased rigor of the Common Core State Standards and the commensurate need for students to graduate from high school ready for college and a career mandates that students spend more time in school, not less. To be effective at engaging students, efforts to reduce suspensions should provide a more inclusive and compassionate learning environment rather than an exclusionary one.¹⁸ The inappropriate use and overuse of suspensions results in a loss of critical learning time and serves to further disengage students from school.

Which leads to these questions: Why are these harsh and ineffective discipline practices, which mirror the criminal justice system and alienate students, allowed to continue, and why are they disproportionately applied to select groups of students?

THERE IS STRONG EVIDENCE OF A POSITIVE CORRELATION BETWEEN THE NUMBER OF SUSPENSIONS AND ACADEMIC DISENGAGEMENT.

^c Several advocacy groups have filed a civil rights complaint with the U.S. Department of Justice regarding Texas's approach to addressing truancy.

Students with Disabilities

Students of color, English language learners (ELLs), and students with disabilities are often treated as discrete groups. However, a significant number of students fall into more than one group, which adds to their diversity and, often, the complexity of challenges. Further, there is significant evidence, and a history of legal action in response to this evidence, regarding the overrepresentation of students of color and ELLs in special education.¹⁹ This overrepresentation may be due to the ambiguity and subjectivity in certain special education categories, particularly in learning disabilities and emotional/behavioral disorders.²⁰

The over-identification of students of color and ELLs as students with disabilities makes the concerns regarding school discipline policies even greater.

Students with disabilities are twice as likely as non-disabled students to be disciplined.²¹ Further, one out of every four African American students with disabilities was suspended during SY 2009–10, and students with disabilities in general were more likely to be suspended multiple times in the same year.²² Discipline disparities exist between students with disabilities and students without disabilities as well as between students of color with disabilities and white students with disabilities. Fourteen percent of African American students with disabilities received out-of-school suspensions two or more times during SY 2009–10, compared to 7 percent of

African American students without disabilities.²³ During this same time, 4 percent of white students with disabilities and less than 2 percent of white students without disabilities were suspended out of school two or more times.²⁴

The rates of suspension vary across states; in states with a significant number of African American students, the suspension rate for African American students with disabilities is often two or three times the rate of white students with disabilities within the state.²⁵ During SY 2009–10, Illinois, for example, suspended nearly 42 percent of all African American students with disabilities compared to 8 percent of white students with disabilities. In Connecticut, the rates are 32 percent compared to 5 percent; Alabama, 22 percent compared to 9 percent; and Texas, 25 percent compared to 8 percent.²⁶ **(For additional state and district comparisons, by subgroup and school level, the Civil Rights Project at University of California, Los Angeles provides a tool to find data on suspension rates at U.S. schools nationwide; see <http://www.schooldisciplinedata.org/>.)**

In addition to addressing concerns over misidentification, since a significant number of students with disabilities spend 80 percent or more of their school day in a general education classroom setting,²⁷ additional training and support for general education teachers on how best to prevent and respond to behavioral issues should be provided in an effort to reduce the number of incidents.^d

^dThe Study of Personnel Needs in Special Education (SPeNSE) reports that 95 percent of all general education teachers currently teach students with disabilities or have done so in the past, with an average caseload of 3.5 students with disabilities. See M. C. Pugach, “Research on Preparing General Education Teachers to Work with Students with Disabilities,” in *Studying Teacher Education: The Report of the AERA Panel on Research and Teacher Education*, ed. M. Cochran-Smith and K. M. Zeichner (Mahwah, NJ: Lawrence Erlbaum Associates, 2006), pp. 549–90.

INEFFECTIVE SCHOOL DISCIPLINE POLICIES AND PRACTICES

Research repeatedly shows that harsh disciplinary policies disproportionately affect students of color and students with disabilities.²⁸ Not only are harsh discipline practices disproportionately applied, and for less serious behavior, they are also an ineffective response to the behavior.²⁹ Further, there are other practices and policies that have proven to be effective in creating a safe and positive school climate for all students and staff.

ANY EFFORT TO ADDRESS THE NATION'S DROPOUT CRISIS AND CLOSE THE GRADUATION RATE GAP BETWEEN WHITE STUDENTS AND STUDENTS OF COLOR AND STUDENTS WITH DISABILITIES WILL BE LIMITED IF REDUCING THE USE OF EXCLUSIONARY DISCIPLINE PRACTICES IS NOT PART OF THAT EFFORT.

In light of the strong relationship between suspensions and dropping out of school,³⁰ any effort to address the nation's dropout crisis and close the graduation rate gap between white students and students of color and students with disabilities will be limited if reducing the use of exclusionary discipline practices is not part of that effort. Two of the least effective practices are the use of zero-tolerance policies and the criminalization of certain student behaviors. These are both ineffective and harmful, and are being disproportionately applied to students of color and students with disabilities.

Zero-Tolerance Policies

Many schools have implemented discipline policies intended to keep classrooms and schools safe environments for learning. Unfortunately, several of these policies have been shown to be counterproductive.⁹ One of these policies is zero tolerance, which, as applied in the school context, generally means the automatic imposition of severe penalties, including suspension and expulsion, in response to rule violations. Zero-tolerance policies were initially designed for infractions related to weapons, drugs,³¹ and violent acts. Such policies can be more appropriate for infractions that clearly endanger the lives of students and teachers. The removal of a student from school should be reserved for the most serious and threatening infractions, as was originally intended. Unfortunately, these policies that remove students from school are now frequently used for many less serious infractions, including minor offenses such as using profanity or truancy.³²

⁹ There is no data showing that out-of-school suspension or expulsion reduces rates of disruption or improves school climate; rather, in 2008, according to the American Psychological Association, available data suggested that disciplinary removal had negative effects on student outcomes and the learning climate. See Southern Poverty Law Center, "Discussion," <http://www.splcenter.org/get-informed/publications/suspended-education/discussion> (accessed August 10, 2013).

For several decades, out-of-school suspensions and zero-tolerance policies were on the rise, but many researchers and educators believe that these policies are overused and are keeping students from learning. In addition, students of color receive suspensions and expulsions at alarming rates.³³ The high rates of suspension resulting from zero-tolerance policies do not demonstrate any benefit for students. Zero-tolerance policies overly rely on the use of suspensions, negatively affecting student learning and student-teacher relationships. According to a report by the Civil Rights Project at the University of California, Los Angeles, disciplinary actions that remove students from school^f lead to lower overall attendance rates and increased course failures, and can set students on a path of disengagement from school that could ultimately keep them from graduating.³⁴ Further, as demonstrated by a districtwide study of the Chicago Public Schools, these actions can have an adverse impact on school climate by aggravating distrust between students and adults within the school if they are not equitably and appropriately applied.³⁵

Criminalization of Misconduct in Schools

Along with the use of zero-tolerance policies, the increased misuse of the role of police in schools is contributing to the school-to-prison pipeline epidemic. The term “school-to-prison pipeline” refers to the policies and practices that push the nation’s schoolchildren—especially those who are most at risk of failing or dropping out—out of the classroom

and into the juvenile and criminal justice systems. Breaking minor school rules was once regarded as common student misconduct, but in many schools today these offenses are punishable by fines, arrests, and entry into the juvenile justice system. This is further compounded by the fact that many schools are spending large portions of their budgets on law enforcement personnel on campus.

Although the presence of police officers or school resource officers (SROs) is sometimes an effort to protect against outside threats, in schools that predominately serve students of color, officers are often used to discipline students. A study of sixteen school districts in Massachusetts employing SROs shows that socioeconomic context and administrator expectations played a major role in how SROs viewed their responsibility within the school.³⁶ For example, in suburban schools, SROs characterized school administrators as protective of students, while in larger, more urban school districts, where the majority of students were not white, SROs reported that administrators were more inclined to make an example of students’ misbehaviors by taking a hard-line approach to discipline.³⁷ Schools need to be clear about the role of SROs and mindful of how that role is perceived by students, family members, and the community. If SROs are perceived by students as solely exclusionary and punitive, schools should take steps to change this perception, and ensure that SROs are seen as contributing to a safer and more positive school climate.³⁸

^f Research also shows that school systems are using disciplinary transfers as a means to push students to transfer to alternative schools, and often do so repeatedly during the course of their high school experience. See W. Askew et al., *Kept Out: Barriers to Meaningful Education in the School-to-Prison Pipeline* (Washington, DC: Georgetown Law Human Rights Institute Fact-Finding Mission, April 2012). Not only is moving students to another school setting disruptive academically and socially, but many alternative schools do not provide the education and skills needed in a global, knowledge-based economy.

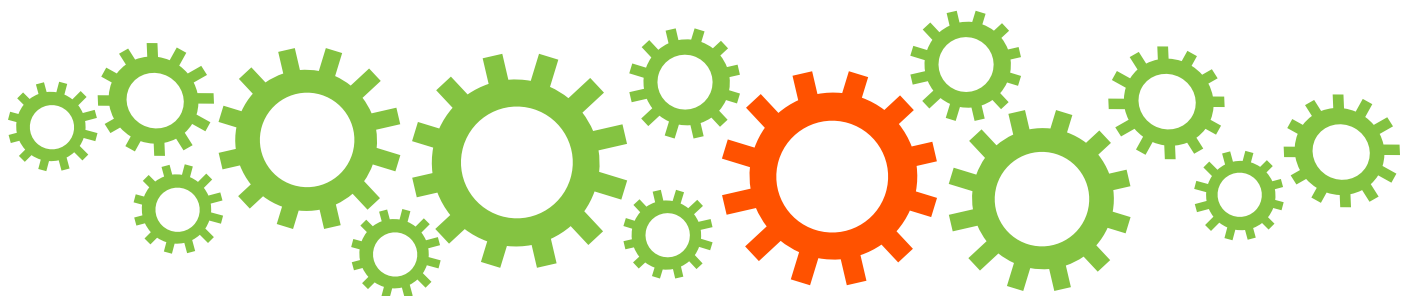
These policies and approaches have also led to a significant rise in students being introduced to the juvenile justice and criminal systems at an early age.

In Pennsylvania, for example, school-based arrests tripled within a seven-year period.³⁹ A recent report finds that in Florida an average of forty-five arrests are made in schools every day, of which two-thirds are for misdemeanors.⁴⁰ Further, between 2007 and 2008, 69 percent of the 21,000 arrests and referrals of Florida’s students to the state’s Department of Juvenile Justice were for misdemeanor offenses.⁴¹ In Delaware, misdemeanors constitute 90 percent of the arrests and include “disorderly conduct,” such as talking back to a teacher or being disruptive.⁴² In New York City, disorderly conduct in schools accounted for 64 percent of the summons issued, demonstrating the involvement of NYPD officers in non-criminal disciplinary incidents in schools.⁴³ In a number of schools, police presence is preempting the role of teachers and student support staff to resolve student behavior issues within the school as opposed to the judicial arena.

The rise in the number of students being introduced to the juvenile justice system is also concerning because of the disproportionality of students being charged. Students of color are arrested more frequently than their white peers, and schools with large populations of students of color are more likely to have law enforcement officials on site and zero-tolerance policies in place. In Delaware between 2010 and 2011, African American students were three and a half times more likely to be arrested in school than white students.⁴⁴ In 2011, African American students made up

only 21 percent of the youth in Florida but comprised 46 percent of all school-related referrals to law enforcement.⁴⁵ In New York City, from October to December 2011, an average of five students were arrested each school day, and 93.5 percent of those students were students of color, even though students of color make up 69 percent of their student population.⁴⁶

The disproportionate rates of discipline are not solely the result of worse behavior by certain groups of students. One might deduce from looking at the data that students of color are misbehaving and breaking student conduct codes at higher rates than their white peers. However, the overrepresentation of certain groups of students may be attributable to subjective perceptions of student behavior. According to several studies, in-school suspensions for African American students are not due to higher rates of misbehavior.⁴⁷ In addition, “white students are disproportionately likely to be disciplined for ‘objective’ offenses, such as alcohol possession, whereas students of color are disproportionately likely to be disciplined for ‘subjective’ offenses such as disorderly conduct and disrupting public school.”⁴⁸ This suggests that at least some of the differences in discipline are not due to African American students committing a greater number of offenses that are objectively wrong or inappropriate; quite the opposite—they are more inclined to commit offenses that are subject to interpretation. Further, even when punished for the same offense as students from other backgrounds, African American students receive harsher punishments.⁴⁹



Zero tolerance and the criminalization of nonviolent student behavior fail to address the underlying reasons for the behavior and often have harmful consequences.

Moreover, excessive punitive responses decrease rather than increase academic engagement, have lasting consequences on students, and for many create a pathway to prison rather than to college and a career.

Specifically:

- Being suspended just once in ninth grade is associated with doubling the risk of a student dropping out of high school (from 16 percent to 32 percent). The rate increases to 42 percent if a student is suspended twice in ninth grade.⁵⁰
- There is a strong relationship between being suspended, being retained at a grade level, and dropping out of school.⁵¹
- Out-of-school suspensions increase students' probability of both dropping out of school and being at risk for future incarceration.⁵²
- According to the Civil Rights Project, after controlling for race and poverty, relatively higher use of out-of-school suspensions correlates with lower test scores.⁵³

ZERO TOLERANCE AND THE CRIMINALIZATION OF NONVIOLENT STUDENT BEHAVIOR FAIL TO ADDRESS THE UNDERLYING REASONS FOR THE BEHAVIOR AND OFTEN HAVE HARMFUL CONSEQUENCES.

Being suspended just once in ninth grade is associated with **doubling**



the risk of a student dropping out of high school (from 16 percent to 32 percent).

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It is clear that the cost to students affected by these policies is too high and that students of color are bearing the brunt of it. A student's connection to their school is bound to be fractured or broken when they are arrested or ticketed for minor infractions. Students who are not engaged in school are more likely to be absent, to lose classroom instruction time, to lose interest in learning, and to continue inappropriate conduct—all indicators for dropping out of high school. The stakes are too high for these students, their families, communities, and our nation. **Policies and practices that force students out of school must be replaced with ones that address the underlying cause of the behavior and contribute to a positive school climate.**

POLICIES AND PRACTICES THAT WORK FOR STUDENTS

While policies such as zero tolerance push out and keep students from being in school, there are practices and policies that yield much better results. Policymakers nationwide are supporting alternatives to zero tolerance that promote more positive forms of school discipline. These practices and practices benefit all students and provide a more equitable and supportive system of school discipline, all while keeping at-risk students engaged and in school.

POLICYMAKERS NATIONWIDE ARE SUPPORTING ALTERNATIVES TO ZERO TOLERANCE THAT PROMOTE MORE POSITIVE FORMS OF SCHOOL DISCIPLINE.

Restorative Justice

Restorative justice is an approach that focuses on repairing harm caused by wrongdoing and preventing future incidents rather than mandating suspension or expulsion, especially for incidents that are not dangerous (see Table 1).⁵⁴ According to the Dignity in Schools Campaign, restorative justice practices aim to build school community and resolve conflict by restoring positive relationships through

- using regular classroom circles to work together with students to set academic goals, explore the curriculum, and develop core values for the classroom community;
- training teachers and staff in classroom management to increase communication and work with students to reflect on how their actions impact others; and
- when disciplinary issues occur, using small group circles, fairness committees, and peer juries to speak with involved students about the causes of the issues and identify positive solutions to repair the harm done to the school community through responses, such as mediation, community service, conflict resolution, and so on.⁵⁵

Schools and districts adopting discipline policies using restorative justice have seen positive changes. Between

2008 and 2009, Denver Public Schools, whose student population at the time was 77 percent students of color,⁵⁶ implemented a restorative justice plan. This resulted in a 40 percent reduction in out-of-school suspensions and a 68 percent reduction in police tickets in schools.⁵⁷ Similarly, West Philadelphia High School—which has an African American student population of nearly 100 percent and is designated a “persistently dangerous school” by the state—utilized restorative justice concepts and saw violent acts and serious incidents drop 52 percent during SY 2007–08 and then another 40 percent by late 2008.⁵⁸

Table 1. How Is the Restorative Justice System Different?

Traditional Approach	Restorative Approach
School rules are broken.	People and relationships are harmed.
Justice focuses on establishing guilt.	Justice identifies needs and responsibility.
Accountability = punishment.	Accountability = understanding impact and repairing harm.
Justice directed at the offender; the victim is ignored.	Offender, victim, and school all have direct roles in the justice process.
Rules and intent outweigh whether the outcome is positive or negative.	Offender is responsible for harmful behavior, repairing harm, and working toward positive outcomes.
Limited opportunity for expressing remorse or making amends.	Opportunity given to make amends and express remorse.

Source: Fix School Discipline, “Restorative Justice or Restorative Practices,” www.fixschooldiscipline.org/toolkit/educators/restorative/ (accessed September 3, 2013).

School-wide Positive Behavior Intervention and Supports (SWPBIS)

Another alternative to extreme and punitive discipline policies is School-wide Positive Behavior Intervention and Supports (SWPBIS). SWPBIS is a comprehensive evidence-based approach with the main goal of decreasing student misconduct in schools.⁵⁹ SWPBIS does this by creating the social and behavioral supports needed for all students, educators and staff, parents, and community members to create the climate for students to reach high levels of social and academic achievement. According to the U.S. Department of Education’s Office for Special Education and Rehabilitative Services, schools implementing SWPBIS should have the core elements within their plans outlined in Table 2.

Instead of suspending students, SWPBIS schools create discipline plans that include, but are not limited to

- developing core values for the school community;
- training teachers and staff in classroom management and positive behavior support strategies to recognize and reward positive student behavior;
- using positive interventions when disciplinary issues occur, such as counseling, conflict resolution, mediation, and team interventions; and
- using data to monitor and improve discipline policies to meet the needs of teachers and students.⁶¹

Data demonstrates that proper implementation of SWPBIS can have beneficial outcomes. Between 2005 and 2006, twelve schools within the Chicago Public Schools used SWPBIS (during which the student population consisted of 92 percent students of color⁶²). The district witnessed the number of students who received six or more disciplinary referrals fall by 50 percent over the three years following implementation.⁶³ Between 2007 and 2008, data from 102 schools using SWPBIS in Florida, a state serving

Table 2. Designing Schoolwide Systems for Students’ Success: A Response-to-Intervention Model

U.S. Department of Education, Office of Special Education Programs

System Organization*	Interventions and Supports
<p>Tier 1: Universal Instruction</p> <ul style="list-style-type: none"> • Effective for 80–90 percent of students • Preventative, proactive 	<p>Tier 1: Universal Programming</p> <ul style="list-style-type: none"> • Teach behavioral expectations • Common rules for entire school • Developmental guidance programs • Data: Office discipline referrals • Screening for behavioral disorders
<p>Tier 2: Supplemental Supports for 5–15 Percent of Students</p> <ul style="list-style-type: none"> • Some students (at-risk) • High efficiency • Rapid response • Small group interventions • Some individualizing 	<p>Tier 2: Supplemental Interventions</p> <ul style="list-style-type: none"> • Social skills instruction • Skill-based instructional programs • Data: Office discipline referrals and teacher referrals
<p>Tier 3: Intensive Supports for 1–5 Percent of Students</p> <ul style="list-style-type: none"> • Individual students • Assessment based • High intensity 	<p>Tier 3: Intensive Interventions</p> <ul style="list-style-type: none"> • Wraparound services • Intensive case management • Community mental health • Intensive progress monitoring

* In Tier 1, behavioral expectations are set and taught to all students. In Tier 2, students needing additional support are offered group-level interventions. Students needing significant support for behavioral challenges are provided evidence-based interventions tailored specifically to their needs in Tier 3.⁶⁰ Source: U.S. Department of Education, Office of Special Education Programs, Technical Assistance Center on Positive Behavioral Interventions and Supports, “Is School-Wide Positive Behavior Support an Evidence-Based Practice?,” <http://www.pbis.org/research/default.aspx> (accessed August 10, 2013).

a high number of students of color, shows that disciplinary referrals dropped by an average of 25 percent and out-of-school suspensions fell by an average of 10 percent—all after one year of implementation.⁶⁴

Social-Emotional Learning

A growing number of schools and districts are adopting social-emotional learning programs to assist students in learning how to manage their emotions, social behaviors, and engagement with students and their peers. Many social-emotional learning programs have three main goals for students:

1. develop self-awareness and self-management skills to achieve school and life success;
2. use social-awareness and interpersonal skills to establish and maintain positive relationships; and
3. demonstrate decisionmaking skills and responsible behaviors in personal, school, and community contexts.⁶⁵

Effective implementation of these programs relies on strong commitment from school leaders, teachers, and staff to integrate the goals into the academic curriculum and classroom management.

THE USE OF AN EARLY-WARNING INDICATOR SYSTEM CAN IDENTIFY AND RESPOND TO THE NEEDS OF STUDENTS WHO ARE DEMONSTRATING INCREASED BEHAVIORAL AND ATTENDANCE PROBLEMS.

These approaches are critically important, given that many students who are not engaged in school also lack the social-emotional skills to fully connect to teachers and peers and do well academically.⁶⁶ Further, a significant percentage of students who lack social-emotional competence disrupt classrooms and learning and believe that their teachers do not care about them.⁶⁷ According to the Centers for Disease Control and Prevention, nearly one-third of all high school students have participated in or experienced multiple high-risk behaviors (for example, illegal substance use, violence, depression, and attempted suicide) that negatively affect their academic performance and engagement with school.⁶⁸

Research shows that social-emotional learning programs have positive effects on students' attitudes toward self and school, social behaviors, conduct problems, and academic performance. A meta-analysis of more than 200 research studies on social-emotional learning programs shows a significant positive impact on decreasing conduct problems, less emotional distress, and improved academic achievement.⁶⁹ While increasing social-emotional competence is important for all students, it is particularly important for students from economically depressed communities and students of color, who are more at risk of academic failure.⁷⁰

Using Early-Warning Indicator Systems to Identify and Respond to Discipline Issues

There are almost always warning signs that a student is becoming increasingly disengaged from school, including increased poor behavior and truancy.⁷¹ Robert Balfanz of Johns Hopkins University conducted a study of ninth-grade students in Philadelphia who received an out-of-home placement in the juvenile justice system.⁷² According to the study, these students attended school only 58 percent of the time, failed one-quarter of their classes, were at least two years below grade level, and were often retained.⁷³

Sixty-seven percent of these students were suspended at least once in eighth grade.⁷⁴ An early-warning indicator system collects data, including student performance, rate of attendance, and number of disciplinary incidents to identify students who are at risk of dropping out, gauge their level and cause of risk, and respond in a timely and targeted manner.⁷⁵ The use of an early-warning indicator system can identify and respond to the needs of students who are demonstrating increased behavioral and attendance problems.

While an early-warning indicator system is critical for identifying at-risk students, it can also reveal classroom, school, and district issues. For example, a school may have high attendance and low rates of misbehavior overall, but certain classrooms within that school may have poor attendance and poor behavior, reflecting classroom-level issues that need to be addressed. Patterns in early-warning indicators should be examined at the classroom, school, and district levels to identify any systemic weaknesses that increase the likelihood that students will drop out.⁷⁶

When a large number of students are identified as at risk in a classroom, school, or district, targeted individual support may also require that additional and systemic intervention addressing the factors that are contributing to the disengagement be provided.

THE ROLE OF SCHOOL STAFF IN EQUITABLE AND EFFECTIVE DISCIPLINE

Positive school climate is created and supported at the district, school, and classroom levels. Teachers and leaders are individually responsible for how they choose to prevent, perceive, or respond to student behavior. For example, rates of out-of-school suspension are lower and preventive measures are more frequently employed in schools where leadership takes the position that suspension and expulsion

are unnecessary.⁷⁷ Positive school climate results in part from specific practices that school staff adopt to equitably and effectively address school discipline.

Increasing Student Engagement

As student engagement increases, misbehavior and suspension decreases.⁷⁸ Disengagement is demonstrated through a variety of student behaviors and is one of the primary reasons that students are disciplined.⁷⁹ Therefore, reducing rates of discipline requires school staff to examine causes of student disengagement. One source of disengagement can stem from dissatisfaction due to a non-enriching and non-inclusive curriculum.⁸⁰ Student truancy and aggressive behavior are often triggered by academic disengagement, especially for African American and Latino males.⁸¹ While ineffective school discipline policies that are inequitably applied serve to physically push students out of school, a disengaging academic program can push them out mentally.

The presence of a disengaging academic program may in part be due to the passage of the No Child Left Behind Act. This legislation affects schools that receive federal

WHILE INEFFECTIVE SCHOOL DISCIPLINE POLICIES THAT ARE INEQUITABLY APPLIED SERVE TO PHYSICALLY PUSH STUDENTS OUT OF SCHOOL, A DISENGAGING ACADEMIC PROGRAM CAN PUSH THEM OUT MENTALLY.

assistance and serve a significant proportion of the nation's students of color, and has resulted in an increased emphasis on high-stakes testing. This has further created classroom environments that either incentivize or pressure teachers to narrow the curriculum and instruction by focusing on test preparation.⁸² This type of instruction often results in the development of a limited set of skills at the expense of a richer, broader curriculum, and can further disengage students and restrict their preparation for college and a career.

Curriculum (in the broadest sense of the term) and instruction have real consequences on academic and economic outcomes. Specifically, learning to fill out workbooks versus critically analyzing text signals is not just a difference in pedagogy, it is a difference in what socioeconomic class position students are being prepared for in life.⁸³ Providing academic rigor demonstrates a belief in student capabilities, which may strengthen student-staff relations as well as provide a more engaging curriculum. More engaged students are less likely to act out in class and are more likely to feel valued and respected.⁸⁴ Providing a rigorous and engaging curriculum is critical for academic success, reducing incidents of school discipline and creating a positive school climate. (The influence of curriculum will be further explored in the next paper in the Climate Change series.)

Providing Staff with Tools to Effectively and Equitably Prevent and Respond to Negative Behavior

Student and teacher relationships at the middle and secondary school levels can be particularly strained as teachers experience additional challenges working with adolescents.⁸⁵ These teachers may need professional development tailored to better understanding adolescent development and then must incorporate what they learn into

how they structure their classroom and respond to student behavior. A randomly controlled study of the impact of one teacher training program designed to strengthen teacher-student relationships and student engagement demonstrates benefits for all students, especially African American students, who experienced the largest reduction rates in disciplinary referrals.⁸⁶ Professional development should include a focus on classroom management, conflict resolution, and less punitive approaches to discipline. Similarly, teachers need additional and ongoing professional development and support if they are working with students with disabilities or ELLs, or if they are teaching out of their license or certification area. (Strategies for creating more engaging classrooms and strengthening student-teacher relationships will be further explored in an upcoming Climate Change paper.)

Addressing Staff Perception: The Role of Culturally Responsive Pedagogy

If the overrepresentation of specific groups of students, such as African American students or ELLs, in school suspensions is not due to higher rates of misbehavior, as has been demonstrated,⁸⁷ then staff perceptions of student behavior must be examined and addressed.

Teacher and leader perceptions of student behavior, in particular of more subjective offenses, may be indicative of the differences between the social experiences and backgrounds of teachers and leaders and their students. The term “cultural competence” can be defined as the ability to understand the within-group differences that make each student unique while also celebrating the between-group variation and using this understanding to inform and expand teaching practices in the classroom.⁸⁸ In other words, cultural competence is having an awareness of one’s own cultural identity and views about difference, and the ability to learn and build on the varying cultural and community norms of students and their families.⁸⁹

THE EFFECTIVENESS OF PROGRAMS THAT DEVELOP POSITIVE STUDENT BEHAVIOR INCREASES WHEN PROGRAMS ARE COUPLED WITH TRAINING ON MULTICULTURAL COMPETENCE.

The effectiveness of programs that develop positive student behavior increases when programs are coupled with training on multicultural competence.⁹⁰

The disproportionate number of students of color who are disciplined for more subjective behaviors suggests that addressing teacher and leader perceptions of that behavior should be part of any effort to create a positive school climate. Professional development that includes culturally responsive pedagogy in order for teachers and leaders to have a better understanding and appreciation of cultural diversity and appropriate ways of creating a more inclusive learning environment can support that effort.

Increasing the Presence of Non-instructional Staff

Under-resourced schools, which include most schools serving high numbers of students of color, are rarely able to afford sufficient non-instructional support staff, including guidance counselors and social workers. **Schools with a high ratio of students to non-instructional staff struggle to provide the needed support to students and teachers.** Further, many of the districts that can afford non-instructional staff choose to fund positions to “deal” with poor behavior rather than to prevent it. For example, in New York City’s schools, there are more than 5,100 police personnel compared to approximately 3,000 guidance counselors and 1,500 social workers.⁹¹

In comparison, the Cleveland Metropolitan School District, where more than 85 percent of the students are students of color,⁹² has invested in support staff for students and

has witnessed positive results. The district experienced a 59 percent decrease in out-of-school suspensions after implementing an approach addressing the social and emotional needs of students, including through the use of student support teams, counselors, positive interventions, and planning centers.⁹³ The presence of non-instructional support staff is a critical component in improving student behavior by addressing the underlying cause of the behavior.

Partnership with the Juvenile Justice System

School systems cannot do this work alone, especially when other systems such as juvenile justice are interconnected when it comes to arrests and court referrals. Across the nation, examples are emerging of state legislatures, school districts, and juvenile justice systems working together to end the school-to-prison pipeline. The Colorado state legislature passed a law that gives schools the flexibility to use restorative justice policies rather than punitive discipline policies that push students into the justice system.⁹⁴ Some partnerships are in the form of commissions and others are created by a memorandum of understanding (MOU). This can be witnessed in Colorado’s Clayton County, where the school district, judicial system, and community organizations created MOUs to end the school-to-prison pipeline within the county (see “Climate Changer” box below).

These commissions and MOUs help create a shared understanding between schools, police, and the judicial system regarding the roles and responsibilities of each entity to uphold a safe and supportive learning environment for all students. These partnerships

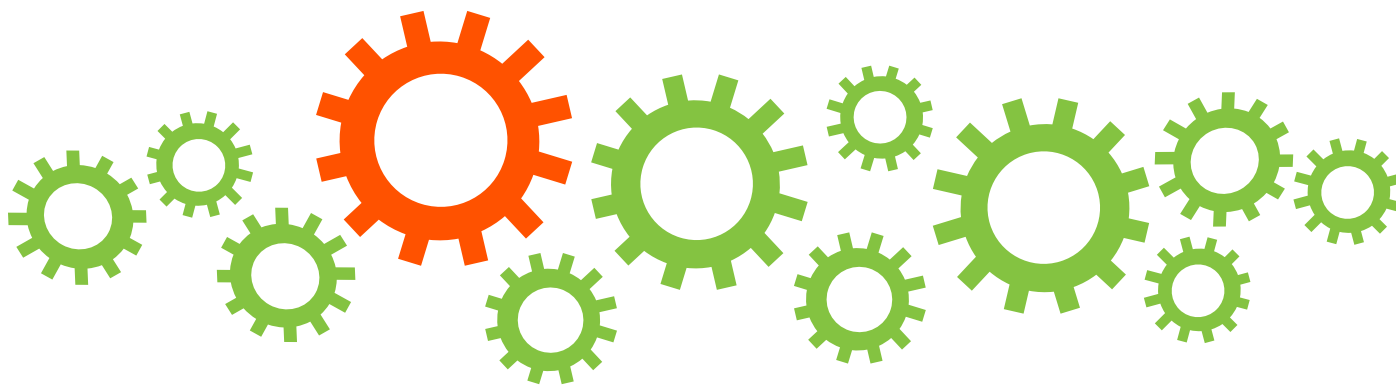
understand the negative effects of punitive disciplinary actions and use non-punitive discipline approaches as the foundation for the guidelines and roles that each entity plays. The Advancement Project outlines three major pieces that should be included in a partnership or MOU with a police department:

1. involvement of the police department in a school-based infraction;
2. procedures concerning other police conduct in schools (searches, questioning, and restraints); and
3. transparency, accountability, and training.⁹⁵

Climate Changer

The Juvenile Detention Alternatives Initiative in Clayton, Georgia, where students of color make up 93 percent of the student population,⁹⁶ created positive change in ending the school-to-prison pipeline. In Clayton, the local judicial system, the Clayton County Public School superintendent, the police chief, parents, youth, the local NAACP branch, and mental and social services came together to address school discipline. The stakeholders created two MOUs to address the problem. The first MOU made misdemeanor offenses in schools ineligible for court referrals unless (1) a warning was properly communicated to the student and caretaker for the first offense; and (2) referral to a conflict resolution workshop was given for the second offense.

The second MOU created a multidisciplinary panel to serve as a single point of entry for all child service agencies, including schools, when referring children, youth, and families for petition to the court. Immediately following implementation, court referrals declined by 67 percent. As a result of these efforts, by the end of SY 2011–12, the number of students referred to the juvenile court for school offenses was reduced by 83 percent. Students of color referred to the court for school offenses was reduced by 43 percent.⁹⁷



CONCLUSION

Creating a positive school climate requires the inclusion of effective and equitable school discipline policies as part of a broad and comprehensive approach to school reform that involves school staff, students, families, and the community. Currently a significant number of schools are using ineffective and punitive practices and applying them disproportionately to students of color, English language learners, and students with disabilities. Further, these practices do not address the underlying causes of the behavior and can have lasting, harmful consequences for the students to whom they are most often applied. Schools should take a preventive and responsive approach that ensures that students are socially, mentally, and physically safe and engaged in learning the skills necessary for college and a career.

By ending punitive and discriminatory discipline policies and adopting practices that address discipline in fair and equitable ways, all students can proceed through an educational process that leads to graduation gowns instead of prison stripes.

BY ENDING PUNITIVE AND DISCRIMINATORY DISCIPLINE POLICIES AND ADOPTING PRACTICES THAT ADDRESS DISCIPLINE IN FAIR AND EQUITABLE WAYS, ALL STUDENTS CAN PROCEED THROUGH AN EDUCATIONAL PROCESS THAT LEADS TO GRADUATION GOWNS INSTEAD OF PRISON STRIPES.

Previously Released and Upcoming Climate Change Publications

Secondary school reform efforts will be limited unless they take a holistic approach that examines every aspect of the school experience for students, teachers, and leaders. In the same way that one recognizes the importance of meeting the needs of the whole child, so too must the needs of the whole school be met. The Alliance is releasing the following series of papers providing a framework for effective and sustainable reform as they relate to:

- Climate Change: Creating an Integrated Framework for Improving School Climate (August 2013)
- Climate Change: Providing Equitable Access to Rigorous Course Work by Preparing All Students for College and a Career
- Climate Change: Providing Equitable Access to Effective Teaching by Preparing, Supporting, and Developing Effective Instructional Practices

FEDERAL, STATE, AND LOCAL POLICY RECOMMENDATIONS

To help provide these safe learning environments, by in part addressing discipline practices, the Alliance for Excellent Education proposes the following federal, state, and local policy recommendations.

Federal Policy Recommendations

- Low-performing schools, as identified under Section 1116 of the Elementary and Secondary Education Act, should be required to assess schoolwide discipline issues, including through a diagnostic analysis of data submitted in response to the U.S. Department of Education’s Civil Rights Data Collection. Where applicable, these schools should identify and implement evidence-based, schoolwide discipline policies and practices to strengthen student-staff relationships and create a positive school climate. Middle and high schools should describe the process for implementing an early-warning indicator system to identify students in need of targeted supports and integrated services.
- Local education agencies (LEAs) receiving federal funding should track and report to the state and make school- and grade-level discipline data publicly available, including that of nonviolent behavior. The data should include the number and type of instances and the disciplinary response (including number of students suspended, both in school and out of school, and length of suspension). Data should be disaggregated by race/ethnicity, gender, English language learner status, and disability. Any disparities should be addressed through timely and targeted reform, professional development, and increased student services.

- LEAs should track and report, in the disaggregate, student grade retention rates and the percentage of students transferred with the district, including the reason for transfer, to better assess the extent to which practices that “push out” or disengage students are being applied.
- Competitive federal grant programs, such as Race to the Top, should incentivize the adoption of school discipline codes that are aligned with the principles of SWPBIS, social-emotional learning, and restorative practices.

State and District Policy Recommendations

Overall school discipline policies

- School staff should create a shared vision for positive school climate that engages school staff, students, families, and the community.
- Based on that vision, school staff should create a positive school climate policy agenda and identify best practices and programs that support that vision. (Resource: National School Climate Center, “School Climate Practices for Implementation and Sustainability,” <http://www.schoolclimate.org/publications/documents/SchoolClimatePracticeBriefs-2013.pdf>.) District-level staff should be involved to the extent needed to support the implementation of that vision.
- District-level and school-based staff should reexamine the applicable code of conduct, including through the use of student, parent/caregiver, and staff surveys, to assess current policies. This review should seek to reduce the inclusion of zero-tolerance policies.

(Resource: National Opportunity to Learn Campaign, Solutions Not Suspensions, and Opportunity Action, “Stopping Out-of-School Suspensions, A Guide for State Policy,” <http://www.otlcampaign.org/resources/stopping-out-school-suspensions-guide-state-policy>.)

- State and district policy should require the presence of a parent/caregiver during any proceeding that could result in a student receiving either an out-of-school or in-school suspension.
- State and district policy should establish, publicly distribute, and post due process procedures for suspensions, transfers, and expulsions with students and parents/caregivers in a clear and easily understandable format.
- School district policy should require that when students are suspended they are provided with the materials and opportunities necessary to ensure that they can make up any exams, classwork, and homework assignments.
- Districts should support schoolwide and, ideally, districtwide evidence-based programs that contribute to a positive school climate, such as restorative justice programs, SWPBIS, and social-emotional learning, as an alternative to suspensions. Suspensions should be reserved for instances where students pose as a threat to themselves or others.

The role of law enforcement

- In districts that place law enforcement or armed personnel in schools, appropriate restrictions should be placed on the infractions they are permitted to respond to when they can make an arrest. Districts should define a clear role for law enforcement, where applicable, that is aligned with effective, supportive, and inclusive practices and should provide the necessary training and support.

(Resource: Advancement Project, “Proposed Memorandum of Understanding Between the School District and the Police Department,” http://b.3cdn.net/advancement/cf357b9f96d8c55ff8_rdm6ib9js.pdf.)

Professional development

- District and school leaders should assess professional development opportunities for teachers and leaders that are intended to support positive and equitable discipline practices and strengthen student, parent/caregiver, and staff relationships. Professional development should provide information and resources related to conflict resolution, effective practices in classroom and behavior management, culturally responsive practices, and the strengthening of teacher-student and teacher-parent/caregiver relationships.

The collection and use of data for identification, intervention, and support

- District and school leaders should collect, report, and analyze school-, grade-, and classroom-level discipline data (including that of nonviolent behavior including tardiness or truancy, and subjective behavior such as willful defiance) on an ongoing basis. The data should be examined (across the district, schools within the same district, and classrooms within the same school) for instances of disproportionate disciplining. The data should include the number and type of instances and disciplinary response (including number of students suspended, both in school and out of school, and length of suspensions). Data should be disaggregated by race/ethnicity, gender, English language learner status, and disability. Any disparities should be addressed through timely and targeted reform, professional development, and increased student services.

- To better assess lost instructional time, schools should collect and report data on the number of days a student is removed from the classroom to serve an in-school suspension. Students serving an out-of-school suspension should be recorded as absent.
- Student, parent/caregiver, and teacher surveys should be provided to better assess school climate and be paired with a tailored response to address any issues revealed by the surveys.

Students with disabilities

- A school or district's effort to reduce the use of exclusionary discipline practices should begin with a close examination of student data. Specifically,

schools and districts should collect and analyze data by the percentage of students of color and English language learners identified as having a disability, by the student subgroup, and by the rates at which these students are suspended. For the purpose of determining disparities and overrepresentation, schools and districts should compare the data to state averages. If a significant number of schools or districts are identified as disproportionately disciplining students of color or English language learners with disabilities, schools should be ranked by the level of disproportionate disciplinary action in order to prioritize targeted and supportive intervention.

*The Alliance is a participant in the **Council of State Governments Justice Center School Discipline Consensus Project**, which will be releasing in 2014 a comprehensive set of policies and recommended school discipline practices based on input from juvenile justice, school climate, law enforcement, and health advisory groups consisting of experts across the fields. The Council of State Governments Justice Center provides practical, nonpartisan advice and consensus-driven strategies, informed by available evidence, to increase public safety and strengthen communities. For more information, visit csgjusticecenter.org/youth/projects/school-discipline-consensus-project.*

Acknowledgments

This paper was written by Jessica Cardichon, EdD, director of federal advocacy at the Alliance for Excellent Education, and Martens Roc, a policy and advocacy associate at the Alliance.

*The **Alliance for Excellent Education** is a Washington, DC–based national policy and advocacy organization that works to improve national and federal education policy so that all students can achieve at high academic levels and graduate from high school ready for success in college, work, and citizenship in the twenty-first century. www.all4ed.org*

*Support for this paper was provided in part by **Carnegie Corporation of New York**. Opinions expressed are those of the Alliance and do not necessarily represent the views of Carnegie Corporation of New York.*

ENDNOTES

- ¹ G. Burns, “Youths March Against Detroit Schools’ Suspension Policies; Call It a ‘School to Prison Pipeline,’” *Mlive.com*, March 23, 2013, http://www.mlive.com/news/detroit/index.ssf/2013/03/detroit_youths_protest_strict.html (accessed July 30, 2013).
- ² U.S. Department of Education, “For Each and Every Child—A Strategy for Education Equity and Excellence,” 2013, <http://www2.ed.gov/about/bdscomm/list/eec/equity-excellence-commission-report.pdf> (accessed August 6, 2013).
- ³ U.S. Department of Education, National Center for Education Statistics, “Racial/Ethnic Enrollment in Public Schools,” http://nces.ed.gov/programs/coe/indicator_cge.asp (accessed August 10, 2013).
- ⁴ U.S. Department of Education, Civil Rights Data Collection, 2009–10.
- ⁵ Civil Rights Project, “A Summary of New Research, Closing the School Discipline Gap: Research to Policy” (Los Angeles, CA: Center for Civil Rights Remedies, Civil Rights Project, University of California, Los Angeles), http://civilrightsproject.ucla.edu/events/2013/summary-of-new-research-closing-the-school-discipline-gap-research-to-policy/Research_Summary_Closing_the_School_Discipline_Gap.pdf (accessed August 10, 2013).
- ⁶ D. J. Losen and R. J. Skiba, *Suspended Education: Urban Middle Schools in Crisis* (Montgomery, AL: Southern Poverty Law Center, September 2010).
- ⁷ D. J. Losen and J. Gillespie, *Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School* (Los Angeles, CA: Center for Civil Rights Remedies, Civil Rights Project, University of California, Los Angeles, August 2012).
- ⁸ Losen and Skiba, *Suspended Education*.
- ⁹ J. D. Finn and T. J. Servoss, “Misbehavior, Suspensions, and Security Measures in High School: Racial/ethnic and Gender Differences,” M. P. Marchbanks III et al., “The Economic Effects of Exclusionary Discipline on Grade Retention and High School Dropout,” T. L. Shollenberger, “Racial Disparities in School Suspension and Subsequent Outcomes: Evidence from the National Longitudinal Survey of Youth 1997,” and R. Skiba et al., “Where Should We Intervene? Contributions of Behavior, Student, and School Characteristics to Suspension and Expulsion,” papers presented at the Closing the School Discipline Gap: Research to Practice conference, Washington, DC, January 10, 2013.
- ¹⁰ *Ibid.*
- ¹¹ New York Civil Liberties Union, “First Full Year of NYPD Data Shows Black Students Disproportionately Arrested at School,” August 14, 2012, <http://www.nyclu.org/news/first-full-year-of-nypd-data-shows-black-students-disproportionately-arrested-school> (accessed August 10, 2013).
- ¹² New York City Independent Budget Office, “New York City Public School Indicators: Demographics, Resources, Outcomes, Annual Report 2011” (New York, NY: Author, 2011).
- ¹³ New York Civil Liberties Union, “First Full Year of NYPD Data.”
- ¹⁴ M. Rich, “Civil Rights Complaint Filed in Texas Truancy Cases,” *New York Times*, June 12, 2013.
- ¹⁵ K. Sheehy, “Skipping High School Can Lead to Fines, Jail for Parents,” *U.S. News & World Report*, August 13, 2012.
- ¹⁶ *Ibid.*
- ¹⁷ I. A. Toldson, T. McGee, and B. P. Lemmons, “Reducing Suspensions by Improving Academic Engagement Among School-Age Black Males,” paper presented at the Closing the School Discipline Gap: Research to Practice conference, Washington, DC, January 10, 2013.
- ¹⁸ *Ibid.*
- ¹⁹ For a detailed analysis, see B. Harry and J. Klingner, “Why Are So Many Minority Students in Special Education? Understanding Race and Disability in Schools” (New York, NY: Teachers College Press, 2006) and M. J. Coutinho and D. P. Oswald, “Disproportionate Representation of Culturally and Linguistically Diverse Students in Special Education: Measuring the Problem,” 2004, <http://www.idonline.org/article/5603?theme=print> (accessed August 10, 2013).
- ²⁰ B. Harry and J. Klingner, “Discarding the Deficit Model,” *Educational Leadership* 64, no. 5 (February 2007), <http://www.ascd.org/publications/educational-leadership/feb07/vol64/num05/Discarding-the-Deficit-Model.aspx> (accessed August 10, 2013).
- ²¹ R. Skiba, “Are Zero Tolerance Policies Effective in Schools?” American Psychological Association Task Force, 2006, <http://www.apa.org/pubs/info/reports/zero-tolerance.pdf> (August 6, 2012).
- ²² Losen and Gillespie, *Opportunities Suspended*.
- ²³ *Ibid.*

- ²⁴ Ibid.
- ²⁵ Ibid.
- ²⁶ Ibid.
- ²⁷ R. I. Arends, *Learning to Teach*, 8th ed. (New York, NY: McGraw-Hill, 2008).
- ²⁸ W. Askew et al., “Kept Out: Barriers to Meaningful Education in the School-to-Prison Pipeline” (Washington, DC: Georgetown Law Human Rights Institute Fact-Finding Mission, April 2012).
- ²⁹ Losen and Skiba, *Suspended Education*.
- ³⁰ Advancement Project, “Test, Punish, and Push Out: How ‘Zero Tolerance’ and High-Stakes Testing Funnel Youth Into the School-to-Prison Pipeline,” March 2010, http://b.3cdn.net/advancement/d05cb2181a4545db07_r2im6caqe.pdf (accessed July 15, 2013), p. 17.
- ³¹ Youth United for Change & Advancement Project, “Zero Tolerance in Philadelphia: Denying Educational Opportunities and Creating a Pathway to Prison,” January 2011, http://b.3cdn.net/advancement/68a6ec942d603a5d27_rim6ynnir.pdf (accessed August 6, 2013).
- ³² Losen and Skiba, *Suspended Education*.
- ³³ For additional data, see U.S. Department of Education Civil Rights Data Collection, 2009–10, and Losen and Gillespie, *Opportunities Suspended*.
- ³⁴ R. Balfanz, V. Byrnes, and J. Fox, “Sent Home and Put Off-Track: The Antecedents, Disproportionalities, and Consequences of Being Suspended in the Ninth Grade,” paper presented at the Closing the School Discipline Gap: Research to Practice conference, Washington, DC, January 10, 2013.
- ³⁵ M. P. Steinberg, E. Allensworth, and D. W. Johnson, “What Conditions Jeopardize and Support Safety in Urban Schools?: The Influence of Community Characteristics, School Composition and School Organizational Practices on Student and Teacher Reports of Safety in Chicago,” paper presented at the Closing the School Discipline Gap: Research to Practice conference, Washington DC, January 10, 2013.
- ³⁶ L. Thurau and J. Wald, “Controlling Partners: When Law Enforcement Meets Discipline in Public Schools,” *New York Law School Law Review* 54 (2009–10).
- ³⁷ Ibid.
- ³⁸ The following resource can provide guidance to districts on how to incorporate SRO involvement that protects students and staff but also fosters a positive school climate for all students: http://b.3cdn.net/advancement/cf357b9f96d8c55ff8_rdm6ib9js.pdf (accessed August 6, 2013).
- ³⁹ Advancement Project, “Test, Punish, and Push Out.”
- ⁴⁰ Advancement Project et al., “Police in Schools Are Not the Answer to the Newtown Shooting,” January 2013, <http://www.naacpldf.org/files/publications/Police%20in%20Schools%20are%20Not%20the%20Answer%20to%20the%20Newtown%20Shooting%20-%20Jan.%202013.pdf> (accessed August 6, 2013).
- ⁴¹ Ibid.
- ⁴² Ibid.
- ⁴³ New York Civil Liberties Union, “First Full Year of NYPD Data.”
- ⁴⁴ Advancement Project et al., “Police in Schools Are Not the Answer.”
- ⁴⁵ Florida Department of Juvenile Justice, “Delinquency in Florida’s Schools: A Seven-Year Study (FY 2004–05 through FY 2010–11),” November 2011, <http://www.djj.state.fl.us/docs/research2/2010-11-delinquency-in-schools-analysis.pdf?sfvrsn=0> (accessed August 6, 2013).
- ⁴⁶ Opportunity to Learn Campaign, “Five NYC Students Arrested Per Day, Majority Are Students of Color,” <http://www.otlcampaign.org/blog/2012/02/28/5-nyc-students-arrested-day-majority-students-color> (accessed August 19, 2013).
- ⁴⁷ M. Karega Rausch and R. J. Skiba, “Unplanned Outcomes: Suspensions and Expulsions in Indiana Education,” 2004, http://ceep.indiana.edu/projects/PDF/PB_V2N2_UnplannedOutcomes.pdf (accessed August 10, 2013). See also J. D. McCarthy and D. R. Hoge, “The Social Construction of School Punishment: Racial Disadvantage Out of Universalistic Process,” *Social Forces* 65 (1987), and A. C. McFadden et al., “A Study of Race and Gender Bias in the Punishment of Handicapped School Children,” *Urban Review* 24 (1992).
- ⁴⁸ Ibid.
- ⁴⁹ R. J. Skiba et al., “Race Is Not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline,” *School Psychology Review* 40, no. 1 (2011), <http://www.nasponline.org/publications/spr/40-1/spr401Skiba.pdf> (accessed August 10, 2013).
- ⁵⁰ Balfanz, Byrnes, and Fox, “Sent Home and Put Off-Track.”

- ⁵¹ Marchbanks III et al., “The Economic Effects of Exclusionary Discipline.”
- ⁵² Losen and Gillespie, *Opportunities Suspended*.
- ⁵³ Losen and Skiba, *Suspended Education*. See also T. Fabelo et al., *Breaking Schools’ Rules: A Statewide Study of How School Discipline Relates to Students’ Success and Juvenile Justice Involvement* (New York, NY: Council of State Governments Justice Center, 2011), http://csgjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf (accessed August 10, 2013).
- ⁵⁴ For more information on restorative justice in schools, see <http://www.restorativejustice.org/programme-place/02practiceissues/schools-1>.
- ⁵⁵ Dignity in Schools Campaign, “Creating Positive School Discipline,” http://www.dignityinschools.org/sites/default/files/Fact_Sheet_RestorativeJustice_PBIS.pdf (accessed August 12, 2013); for more information, visit www.dignityinschools.org.
- ⁵⁶ U.S. Department of Education, National Center for Education Statistics, Common Core of Data, “Local Education Agency (School District)” (Washington, DC: Author, 2009).
- ⁵⁷ Dignity in Schools Campaign, “Creating Positive School Discipline.” For more information, visit www.dignityinschools.org.
- ⁵⁸ Ibid.
- ⁵⁹ For more information, see http://www.pbis.org/school/swpbis_for_beginners/default.aspx.
- ⁶⁰ Wisconsin PBIS Network, “PBIS Tiers,” <http://www.wisconsinpbisnetwork.org/educators/getting-started/pbis-tiers.html> (accessed August 6, 2013).
- ⁶¹ Dignity in Schools Campaign, “Creating Positive School Discipline.” For more information, visit www.dignityinschools.org.
- ⁶² U.S. Department of Education, National Center for Education Statistics, Common Core of Data, “Local Education Agency (School District).”
- ⁶³ Dignity in Schools Campaign, “Creating Positive School Discipline.” For more information, visit www.dignityinschools.org.
- ⁶⁴ Florida’s Positive Behavioral Support Project, “Florida’s Positive Behavior Support Project Annual Report 2007–2008,” <http://flpbs.fmhi.usf.edu/index.asp> (accessed August 6, 2013).
- ⁶⁵ For example, see Illinois Standards for Social and Emotional Learning, http://www.isbe.state.il.us/ils/social_emotional/standards.htm.
- ⁶⁶ Payton et al., “The Positive Impact of Social and Emotional Learning for Kindergarten to Eighth-Grade Students,” CASEL, 2008, <http://www.lpfch.org/sel/casel-fullreport.pdf> (accessed August 12, 2013).
- ⁶⁷ Ibid.
- ⁶⁸ Ibid.
- ⁶⁹ J. Durlak et al., “The Impact of Enhancing Student’s Social and Emotional Learning: A Meta-Analysis of School-Based Universal Interventions,” *Child Development* 82, no. 1 (2011).
- ⁷⁰ D. Osher, A. Sidana, and P. Kelly, “Improving Conditions for Learning for Youth Who Are Neglected or Delinquent,” National Evaluation and Technical Assistance Center, 2008, <http://www.neglected-delinquent.org/nd/resources/spotlight/cflbrief200803.asp> (accessed August 6, 2013).
- ⁷¹ R. Balfanz, L. Herzog, and D. J. Mac Iver, “Preventing Student Disengagement and Keeping Students on the Graduation Path in Urban Middle-Grades Schools: Early Identification and Effective Interventions,” *Educational Psychologist* 42, no. 4 (2007), <http://web.jhu.edu/sebin/q/b/PreventingStudentDisengagement.pdf> (accessed August 10, 2013).
- ⁷² R. Balfanz et al., “High Poverty Secondary Schools and the Juvenile Justice System,” in *Deconstructing the School to Prison Pipeline*, ed. J. Wald and D. Losen (San Francisco, CA: Jossey-Bass, 2003), pp. 77–78.
- ⁷³ There is little evidence that grade retention at the secondary school level benefits students, unless combined with targeted and intensive supports. Rather, it often places students in classrooms with younger peers, further stigmatizing and disengaging the student, and is frequently done without the additional academic support needed. For more information on retention, see B. A. Jacob and L. Lefgren, *The Effect of Grade Retention on High School Completion* (Ann Arbor, MI: Gerald R. Ford School of Public Policy, Center for Local, State, and Urban Policy, February 2009), <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.184.2180&rep=rep1&type=pdf> (accessed August 10, 2013).
- ⁷⁴ Balfanz et al., “High Poverty Secondary Schools and the Juvenile Justice System.”
- ⁷⁵ Ibid.

- ⁷⁶ L. Pinkus, *Using Early-Warning Data to Improve Graduation Rates: Closing Cracks in the Education System* (Washington, DC: Alliance for Excellent Education, August 2008).
- ⁷⁷ Losen and Skiba, *Suspended Education*.
- ⁷⁸ D. Osher et al., "How Can We Improve School Discipline?," *Educational Researcher* 39, no. 1 (2010): 48–58, http://web.multco.us/sites/default/files/ccfc/documents/how_can_we_improve_school_discipline.pdf (accessed August 10, 2013).
- ⁷⁹ Toldson, McGee, and Lemmons, "Reducing Suspensions by Improving Academic Engagement Among School-age Black Males."
- ⁸⁰ Ibid.
- ⁸¹ Ibid.
- ⁸² See L. Darling-Hammond, "No Child Left Behind and High School Reform," *Harvard Educational Review* (winter 2006), <http://hepg.org/her/abstract/199> and <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.160.8258&rep=rep1&type=pdf> (accessed August 10, 2013).
- ⁸³ P. Cookson, *Class Rules: Exposing Inequality in American High Schools* (New York, NY: Teachers College Press, 2013).
- ⁸⁴ R. J. Marzano and D. Pickering, with T. Heflebower, *The Highly Engaged Classroom* (Bloomington, IN: Marzano Research Laboratory, 2010).
- ⁸⁵ J. S. Eccles, "The Development of Children Ages 6 to 14," *When School Is Out* 9, no. 2 (fall 1999), <http://www.princeton.edu/futureofchildren/publications/journals/article/index.xml?journalid=48&articleid=232§ionid=1519> (accessed August 10, 2013).
- ⁸⁶ A. Gregory et al., "The Promise of a Teacher Professional Development Program in Reducing the Racial Disparity in Classroom Exclusionary Discipline," paper presented at the Closing the School Discipline Gap: Research to Practice conference, Washington, DC, January 10, 2013.
- ⁸⁷ Karega Rausch and Skiba, "Unplanned Outcomes"; McCarthy and Hoge, "The Social Construction of School Punishment"; and McFadden et al., "A Study of Race and Gender Bias in the Punishment of Handicapped School Children."
- ⁸⁸ National Education Association, "Why Cultural Competence?," <http://www.nea.org/home/39783.htm> (accessed August 10, 2013).
- ⁸⁹ Ibid.
- ⁹⁰ C. G. Vincent, J. Sprague, and J. M. Gau, "The Effectiveness of Schoolwide Positive Behavior Interventions and Supports for Reducing Racially Inequitable Disciplinary Exclusions in Middle Schools," paper presented at the Closing the School Discipline Gap: Research to Practice conference, Washington, DC, January 10, 2013.
- ⁹¹ New York Civil Liberties Union, "First Full Year of NYPD Data."
- ⁹² Cleveland Metropolitan School District, Ohio, "Our Students," <http://clevelandmetroschools.org/domain/24> (accessed August 10, 2013).
- ⁹³ D. Osher et al., "Avoid Simple Solutions and Quick Fixes: Lessons Learned from a Comprehensive Districtwide Approach to Improving Student Behavior and School Safety," paper presented at the Closing the School Discipline Gap: Research to Practice conference, Washington, DC, January 10, 2013.
- ⁹⁴ Colo. Rev. Stat. §12-1345, http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/CD3C8673214EEF8C872579CD00625FE2?open&file=1345_enr.pdf (accessed August 6, 2013).
- ⁹⁵ Advancement Project, "Proposed Memorandum of Understanding Between the School District and Police Department," http://b.3cdn.net/advancement/cf357b9f96d8c55ff8_rdm6ib9js.pdf (accessed August 14, 2013).
- ⁹⁶ U.S. Department of Education, National Center for Education Statistics, Common Core of Data, "Local Education Agency (School District)."
- ⁹⁷ U.S. Senate, Subcommittee on the Constitution, Civil Rights, and Human Rights, "Ending the School to Prison Pipeline," subcommittee hearing, December 2012.



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