

# Every Student Succeeds Act Primer:

## Reducing Incidents of School Discipline



July 2016

**As the implementation of the Every Student Succeeds Act (ESSA) of 2015 moves forward, the overuse of exclusionary discipline practices in schools, and the role such practices play in perpetuating the school-to-prison pipeline, deservedly continue to garner national attention. Under these harsh practices, children are suspended and expelled from their schools at increasing rates. The stigma associated with suspensions and expulsions, as well as the sheer number of lost days of instruction, hold severe consequences for high school graduation rates, academic performance, and the real-life outcomes of affected students.**

According to the U.S. Department of Education's most recent civil rights data collection, the overuse of school suspensions and expulsions in K–12 public education displays major racial disparities. African American K–12 students account for 1.1 million of the 2.8 million out-of-school suspensions administered in School Year 2013–14, making African American students 3.8 times more likely to be suspended and 1.9 times more likely to be expelled than their white peers.<sup>1</sup> This reality has made school discipline

reform a top priority for states, districts, and schools across the country.

### Title I State Plans and School Discipline Reform

Title I of ESSA requires state education agencies (SEAs) to provide a plan detailing how they will assist local education agencies (LEAs) receiving Title I funds. Within these plans, SEAs must design their statewide accountability systems to track student academic achievement, high school graduation rates, and at least one state-selected indicator to measure school quality or student success, such as student and educator engagement, school climate and safety, and other factors that contribute to a positive school environment.

Under ESSA, states must disaggregate and report by student subgroups the data surrounding these state-selected indicators. By promoting indicators that measure *school climate and discipline practices*, ESSA pushes states and districts to use data to identify and support schools with high rates of discipline referrals, disaggregate this data for subgroup accountability, and track the success of new discipline practices. Additionally, this data will serve as an important component in mitigating the dramatic disparities between races.

State plans also must describe how SEAs will support LEAs as they improve school conditions for student learning. Specifically, ESSA requests plans for “reducing the overuse of school discipline practices that remove students from the classroom and the use of aversive behavioral interventions<sup>2</sup> that compromise student



health and safety." Likewise, individual LEAs seeking subgrants to reform school discipline can submit a plan with strategies to reduce the use of out-of-school suspensions and expulsions.

## Teacher and School Leader Support for Reforming School Discipline

Implementing approaches in schools that create more effective and equitable school discipline practices, such as restorative justice, relies on teachers' and leaders' understanding the school community's social and economic climate. Title II of ESSA encourages states and LEAs to support more effective instruction of their teachers with in-service training to identify students in need of intervention and support and help educators understand when and how to refer for intervention students who may have been affected by trauma in their communities or who are at risk for mental health issues.

These referrals effectively can link children to the social, emotional, and psychological intervention services needed to prevent misbehavior and avoid exclusionary discipline. By funding more training and support programs on classroom management, counseling, and alternative forms of discipline, districts can progress with school discipline reform.

## Youth PROMISE Plans<sup>3</sup>

Title IV of ESSA awards Student Support and Academic Enrichment Grants<sup>4</sup> to eligible states and districts acting as leaders in creating healthy school environments, which includes school discipline reform. Under Title IV, LEAs can develop and promote a **youth PROMISE plan** that implements evidence-based practices to reduce exclusionary discipline and transform school climate. In doing so, schools can turn to more restorative practices, such as expanding access to mental health services, mentoring programs, investing in school-based counseling, and other services that keep students in the classroom.

These locally-tailored plans proactively can build healthy relationships and a sense of community to prevent and address in-school conflict. PROMISE plans also encourage states to develop early-intervention programs. By developing early-warning systems for children whose behavior puts them at risk for out-of-school discipline, schools can intervene earlier to avoid taking more drastic measures down the line. These practices create environments conducive to learning and personal development.

For additional fact sheets and videos about ESSA, visit [www.all4ed.org/essa/](http://www.all4ed.org/essa/).

## Endnotes

- <sup>1</sup> U.S. Department of Education, Office for Civil Rights, "2013–2014 Civil Rights Data Collection: A First Look" (Washington, DC: Author, 2016), <http://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf> (accessed June 29, 2016).
- <sup>2</sup> ESSA does not define "aversive behavioral interventions"; however, research literature defines the term as "the systematic use of stimuli or other treatment which a [person] is known to find painful or unpleasant for the purpose of discouraging undesirable behavior on the part of the [person]." D. Rice and P. Kohler, "Aversive Intervention: Research and Reflection," *Education* 132, no. 4 (2012). The U.S. Department of Education may provide a definition or guidance on this term in the future.
- <sup>3</sup> ESSA incorporates several provisions originally contained in the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education (PROMISE) Act. The Youth PROMISE Act allows communities facing the greatest youth gang and crime challenges to develop evidence-based prevention and intervention strategies that fit the needs of the particular community. For additional information see the NAACP document "Crucial NAACP-Supported Youth PROMISE Act Provisions Included in Education" available at <http://www.naacp.org/action-alerts/entry/crucial-naacp-supported-youth-promise-act-provisions-included-in-education>.
- <sup>4</sup> The Student Support and Academic Enrichment Grants program has three purposes: (1) provide all students with access to a well-rounded education; (2) improve school conditions for student learning; and (3) improve the use of technology to raise academic achievement and digital literacy for all students. If a district receives less than \$30,000 through this program, the district may choose to support only one of these purposes.

The **Alliance for Excellent Education** is a Washington, DC-based national policy and advocacy organization dedicated to ensuring that all students, particularly those traditionally underserved, graduate from high school ready for success in college, work, and citizenship. [www.all4ed.org](http://www.all4ed.org)

The **National Association for the Advancement of Colored People (NAACP)** is the nation's oldest, largest, and most widely recognized grassroots-based civil rights organization. Its more than half-million members and supporters throughout the United States and the world are the premier advocates for civil rights in their communities, campaigning for equal opportunity and conducting voter mobilization. The mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination. [www.naacp.org](http://www.naacp.org)

