School Discipline Reform Is Still Needed, but Is Discipline Policy Still the Solution?

Addressing disparities requires a broader, deeper look at school culture, process, and practice.

Kristen Harper

Over the past decade, states and school districts have acted on research findings that the use of out-of-school suspension has run counter to the goals of education equity and achievement. Legislatures, as well as state and local boards of education, worked hard to shift school discipline practices through statutory and regulatory mandates and restrictions.

Research on discipline policy, however, is still emerging. Early studies illustrate the need for greater attention to policy implementation and the challenge of underlying educational inequities. If fair, effective school discipline is states' intended goal, it may well be that policies aimed only at reducing suspension will be insufficient.

Decreasing Suspensions, Persistent Gaps

The latest data on school discipline inspire a cautious optimism: The prevalence of school-reported out-of-school suspensions has been decreasing (figure 1). My organization, Child Trends, has published analyses of trends from the 2011–12 school year to 2015–16 using the federal Civil Rights Data Collection (CRDC). Schools reported decreases in overall rates of out-of-school suspension (from 5.6 to 4.7 percent), as well as decreases for white students, black students, Hispanic students, and students with disabilities.[1]

However, disparities by race and disability persist. Black students are still twice as likely to be suspended from school as white students (8.0 versus 3.8 percent), and students with disabilities are twice as likely to be suspended as their nondisabled peers (8.6 versus 4.1 percent).

Child Trends also examined school-level discipline data.[2] During the 2011–12 school year, 25 percent of schools serving both black and white students suspended black students from school at significantly disproportionate rates. Little has changed: Four years later, 23 percent of schools continued to have such disparities.

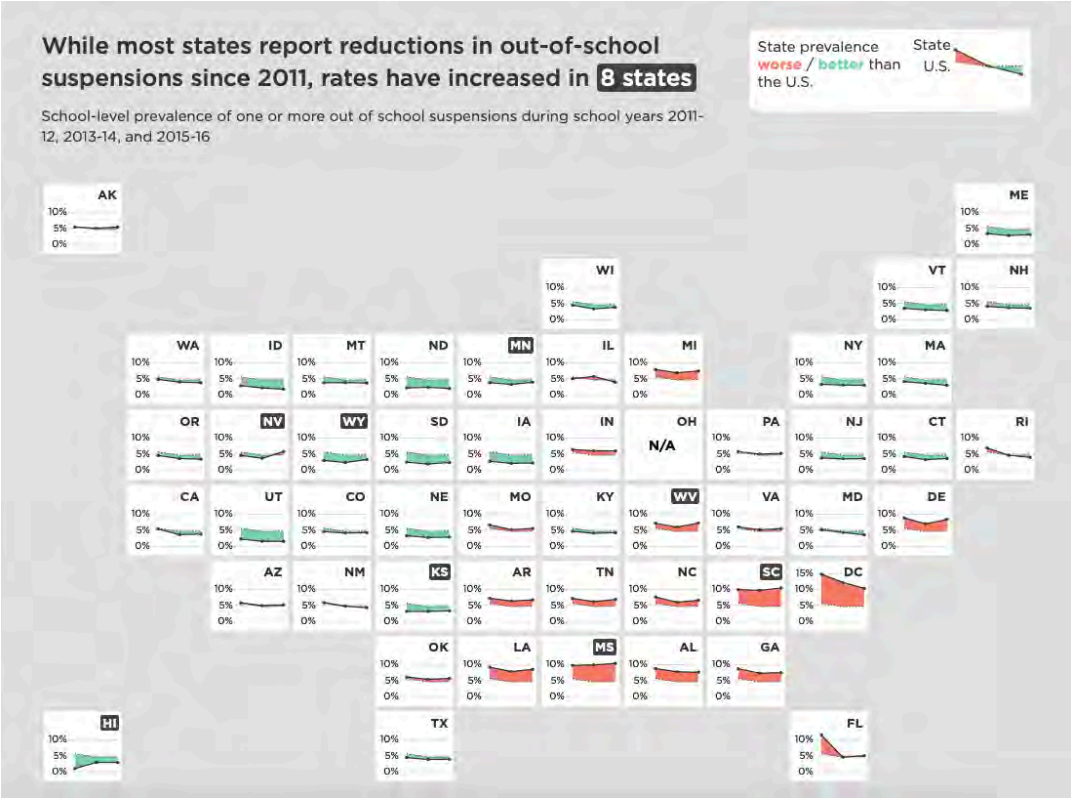
These data heavily underestimate exposure over the entirety of a child's school experience. Based on Child Trends' analyses of the CRDC, an individual child's risk of suspension in any one year is roughly 5 percent. However, other studies have found that 35 percent of all students, and 67 percent of black students, experience at least one suspension from kindergarten through grade 12.[3]

The research base on suspension is growing. In 2011, a longitudinal study of seven million Texas school children by the Council of State Governments Justice Center clearly conveyed the harms associated with suspension and expulsion. It found that students who experienced a suspension or expulsion were at greater risk of dropping out of school, being retained in grade, and being in contact with the juvenile justice system. In 2018, a quasi-experimental study of a nationally representative sample of students showed that, 12 years after receiving an out-of-school suspension, disciplined students are less likely to earn a diploma or bachelor's degree and more likely to have been arrested or incarcerated.[4]

Regulatory and Legislative Restrictions

As of fall 2017, 31 states had laws limiting the use of suspension or

Figure 1.



Source: Kristen Harper, Renee Ryberg, and Deborah Temkin. "Schools Report Fewer Out-Of-School Suspensions, but Gaps by Race and Disability Persist." Bethesda, MD: Child Trends, 2018.

expulsion,[5] while 32 had laws that encourage alternatives to disciplinary exclusion. These policies feature a wide array of approaches, such as limitations on disciplinary exclusion for specific grade levels (e.g., preschool), limitations for specific types of offenses (e.g., willful defiance and insubordination), and requirements that exclusion be an option of last resort, absent threats to school safety.

Due to a decade of significant policy changes, officials interested in advancing school discipline legislation or regulations have many templates from which to choose. However, there is little research available to help them determine which approaches have been most successful. What studies exist provide an early glimpse of the promise and challenge of using policy mandates and restrictions to shift discipline practice.

Two studies examine reforms in Philadelphia, which shifted its school discipline policy to mandate alternatives to suspension—such as school detention and parent notification—for low-level offenses. The first study, which looked at elementary and middle schools after the policy shift, found that the schools could be categorized into three groups with differing school climates: 1) underresourced schools with limited staff and resources and low teacher morale (41 percent); 2) schools using punitive approaches to discipline, where teachers received little support from administrators (28 percent); and 3) schools using collaborative and nonpunitive approaches to school discipline, where teachers were supported by school administrators (31 percent).[6] The last type of school was more likely to serve communities with fewer low-income families and families of color. The study also found differences in how school administrators interpreted district communications regarding school discipline practice. Some administrators understood that suspensions should be used only "as a last resort," implying that suspensions only be used after other disciplinary approaches have been attempted. By contrast, other administrators understood

that suspensions should be used only "when necessary" and in accordance with policies and procedures—a more flexible interpretation of district policy that might allow for the use of exclusion ahead of alternative strategies.

The second study found wide differences in how schools complied with Philadelphia's new discipline policies.[7] Of the studied schools, 17 percent did not comply (and actually increased suspensions). Schools in this last category tended to be academically lower achieving and had larger populations of students of color. While the study found a temporary decrease in suspensions for low-level offenses, including a reduction for black students, they also found that suspensions for serious offenses for black students increased; these increases were found mostly in schools that did not comply or only partially complied with new discipline policies.

These two studies should give us pause, as they illustrate how differences in school climate and inequities in school capacity will heavily influence how policy shifts fall on schools and students. They also suggest that, where initiatives to improve school discipline address policy without addressing the underlying education inequity, we should not expect improved outcomes for children of color. Similarly, these studies make clear that policymakers must consider what implementation supports—for school leaders and teachers alike—should accompany shifts in discipline policy. Of course, it should be noted that these studies are limited to a single school district. While Philadelphia may not be unique among school districts, it is not clear whether (or how) the district's policy context or approach to implementation may have influenced these findings.

A third study, focusing on a different type of policy change in Chicago, presents a different picture. Researchers examined the impact of school shifts in the use of suspensions for severe behaviors and found increases in academic achievement and attendance. While schools serving Latinx students saw declines in school climate and student perceptions of safety, schools serving mostly black students saw improvements in both measures.[8]

Casting a Wider Net

While state and local policy initiatives to restrict the use of suspension may be an important and necessary step to spur shifts in practice, these are unlikely to be sufficient. The overuse of school discipline and school discipline disparities are manifestations of broader challenges our school systems contend with when responding to student behavior. To help schools develop the cultures, processes, and practices necessary to ensure fair, effective responses to student needs, policymakers must look beyond discipline policy. Creating trauma-sensitive schools and addressing historic disparities in special education are two places to start.

Research on the prevalence, risks, and long-term implications of child adversity highlights the need to create school environments that emphasize support over exclusion. Child Trends has published state and national estimates of childhood exposure to adversity. In 2016, 45 percent of children across the United States had experienced at least one of eight adverse childhood experiences (ACEs).[9]

While exposure to ACEs is generally associated with poorer education and adult employment outcomes, it is also associated with emotional and behavioral difficulties during childhood. However, childhood responses to adversity can vary wildly. Supportive relationships with adults and caregivers and strong social and emotional skills can protect children from the negative effects of childhood adversity.[10]

Where schools use suspension and expulsion as a measure of first resort—rather than the last—to respond to student behavior, they risk retraumatizing and alienating children that may struggle to cope with trauma and toxic stress.

However, there are no greater disparities in school responses to student behavior than at the intersection of race and disability—particularly for black children in special education. Nationally, black students are overrepresented among students identified with emotional disturbance and face disparate rates of placement in separate settings. In general, most referrals to special education are due to reading or behavior challenges.[11] The emotional disturbance category is most strongly associated with behavior challenges: Per the Individuals with Disabilities Education Act regulations, children with emotional disturbance are those whose behaviors and inability to build interpersonal relationships (among other characteristics)

Differences in school climate and inequities in school capacity will heavily influence how policy shifts fall on schools and students.

Used improperly and without oversight, threat assessment can become one more mechanism by which schools continue to exclude children improperly.

adversely affect their educational performance.

In 2016, black students ages 6 to 21 were twice as likely as their peers (in all other racial and ethnic groups) to be identified with emotional disturbance.[12] Systems-level factors influence these disparities, including biased educator beliefs and poor behavior management practices, among others. Two recent studies found a relationship between school segregation and disparities in disability identification: Schools serving mostly white students are more likely to identify black students with disabilities, while schools serving mostly black students are less likely to identify disabilities.[13]

In recent years, there has been some debate as to whether the overrepresentation of black students among students with disabilities is cause for alarm. However, one thing is certain: Given this degree of overrepresentation, IDEA's protections and services for students with disabilities and guarantee of a free appropriate public education have proved inadequate for black students. According to the Government Accountability Office, black students with disabilities (23 percent) have among the highest rates of out-of-school suspension of any student subgroup (white students with disabilities face rates of 8 percent, and black students without disabilities face rates of 13 percent).

Academic achievement for students with disabilities, as represented by the National Assessment of Educational Progress, presents an even bleaker picture. In 2015, only 18 percent of black students with disabilities performed at or above basic for grade 12 reading, compared with 41 percent for white students with disabilities, 56 percent for black students without disabilities, and 83 percent for white students without disabilities.

Emerging Challenges

While policymakers across the country have worked to improve school discipline practice, the policy and political contexts in which they pursue this goal are constantly shifting.

Stronger public and administrative accountability for school discipline—made possible by the school-level discipline indicators in the CRDC and by the Every Student Succeeds Act, which requires states to publish report cards with indicators of school quality—has created a strong focus on discipline data to gauge whether schools are improving.

Given this focus, particularly on out-of-school suspensions, one emerging challenge has been to ensure that shifts in discipline trends reflect intended shifts in practice. Ideally, reductions in reported suspensions would indicate a shift from punitive or exclusionary discipline toward more supportive alternatives. However, there are initial signs that some schools may be reducing the number of suspensions they report by changing record-keeping practices or swapping one type of punitive discipline for another type. In Washington state, officials have issued new regulations clarifying that informal disciplinary removals (e.g., sending children home with parents) must be recorded as suspensions.[14] In a preliminary study by Child Trends, we found that schools that reported decreases in out-of-school suspension between the 2011–12 and 2015–16 school years were more likely to also report increases in school-based arrests than schools reporting increases or no change in suspension.[15]

A second area of challenge has arisen in the aftermath of the 2018 Parkland shooting. To reassure school communities fearful of active shooters, policymakers have pursued a range of policy options in the hope of strengthening school safety, including new investments in school policing, active shooter drills, physical security features (e.g., metal detectors and cameras), and threat assessment. These approaches vary widely with respect to their grounding in research, and some—like school policing and threat assessment—could aggravate the challenges with disciplinary exclusion.

Research examining the potential for school policing to improve school safety has been mixed, and tragic active shooter incidents have taken place on school campuses where school police were present. However, research clearly indicates that the presence of school police is associated with increases in school arrests.[16]

Threat assessment has stronger grounding: Used well, this approach provides schools with a process to assess and take preventative measures when a child may be considering violence.[17] However, used improperly and without oversight, threat assessment can become one more mechanism by which schools continue to exclude children improperly.

In the months since Parkland, narratives maligning children with disabilities and children with mental health needs as subgroups at higher risk of extreme violence have proliferated. In fact, children and youth with mental health challenges are more likely than their peers to be victims of crime.[18]

Next Steps

State officials should maintain their focus on data collection, with attention to improving data quality, examining discipline disparities, and capturing emerging practices. As of 2017, 27 states had laws requiring some form of monitoring for discipline disparities by either race or disability.[19]

While continued attention to reducing discipline and discipline disparities necessitates ongoing access to data, investments in data collection and reporting should be matched with initiatives to ensure that the data accurately reflect school practice. This effort may entail clarifying for schools that suspensions include informal removals (such as shortened school days or asking parents to either pick up students early or keep them at home) and any time spent away from school pursuant to the decisions and deliberations of a threat assessment team.

It would also include developing new strategies to audit school records and reporting practices for accuracy and completeness. Further, such a focus requires remaining vigilant for new formal practices—such as threat assessment—and ensuring regular data collection and reporting for such practices to help communities assess whether students of color and students with disabilities are treated equitably. ■

[1]Kristen Harper, Renee Ryberg, and Deborah Temkin, "Schools Report Fewer Out-of-School Suspensions, but Gaps by Race and Disability Persist" (Bethesda, MD: Child Trends, 2018).

[2]Kristen Harper, Renee Ryberg, and Deborah Temkin, "Black Students and Students with Disabilities Remain More Likely to Receive Out-of-School Suspensions, Despite Overall Declines" (Bethesda, MD: Child Trends, 2019).

[3]Tracey Shollenberger, "Racial Disparities in School Suspension and Subsequent Outcomes: Evidence from the National Longitudinal Study of Youth," in Daniel J. Losen, ed., *Closing the School Discipline Gap: Equitable Remedies for Excessive Exclusion* (New York City: Teachers College Press, 2015).

[4]Janet Rosenbaum, "Educational and Criminal Justice Outcomes 12 Years after School Suspension," *Youth and Society* (2018): 1–33.

[5]Jamie Chriqui et al., "Using State Policy to Create Healthy Schools: Coverage of the Whole School, Whole Community, Whole Child Framework in State Statutes and Regulations, School Year 2017–2018" (Bethesda, MD: Child Trends, 2019).

[6]Abigail M. Gray et al., "Discipline in Context: Suspension, Climate, and PBIS in the School District of Philadelphia," research report (McKeesport, PA: Consortium for Public Education, 2017), https://repository.upenn.edu/cpre_researchreports/106.

[7]Matthew P. Steinberg and Johanna Lacoe, "The Academic and Behavioral Consequences of Discipline Policy Reform: Evidence from Philadelphia" (Washington, DC: Thomas B. Fordham Institute, 2017).

[8]These data are based on surveys, with school climate and perceptions of safety treated as separate domains. School climate included interpersonal relationships, support for learning, and belonging. Rebecca Hinze-Pifer and Lauren Sartain, "Rethinking Universal Suspension for Severe Student Behavior" (Chicago: University of Chicago Consortium on School Research, 2018).

[9]Vanessa Sacks and David Murphey, "The Prevalence of Adverse Childhood Experiences, Nationally, by State, and by Race or Ethnicity" (Bethesda, MD: Child Trends, 2018). This brief analyzed eight types of childhood adversity included in the National Survey for Children's Health, which are generally referred to as "adverse childhood experiences" or ACEs. As ACEs are a subset of childhood adversities and do not include other potentially traumatic experiences such as homelessness, bullying, forced displacement, and other events, the estimates of ACE exposure should be considered a conservative estimate of exposure to childhood adversity.

[10]National Scientific Council on the Developing Child, "Excessive Stress Disrupts the Architecture of the Developing Brain," Working Paper 3 (Cambridge, MA: Center on the Developing Child at Harvard University, 2014); Christina D. Bethell et al., "Adverse Childhood Experiences: Assessing the Impact on Health and School Engagement and the Mitigating Role of Resilience," *Health Affairs* 33, no. 12 (2014): 2106–15.

[11]National Research Council, "Minority Students in Special and Gifted Education" (Washington, DC: National Academies Press, 2002).

[12]U.S. Department of Education, Office of Special Education and Rehabilitative Services, Office of Special Education Programs, "40th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2018" (Washington, DC, 2018).

[13]Todd E. Elder et al., "School Segregation and Racial Gaps in Special Education Identification," working paper (Cambridge, MA: National Bureau of Economic Research, 2019); Rachel Elizabeth Fish, "Standing Out and Sorting In: Exploring the Role of Racial Composition in Racial Disparities in Special Education," *American Educational Research Journal* 56, no. 6 (2019): 2573–608.

[14]Washington Office of the Superintendent of Public Instruction, "New Student Discipline Rules Questions & Answers: A Technical Guide" (Olympia, WA, 2018).

[15]Kristen Harper, Renee Ryberg, and Deborah Temkin, "Black Students and Students with Disabilities Remain More Likely to Receive Out-of-School Suspensions, Despite Overall Declines" (Bethesda, MD: Child Trends, 2019).

[16]Nathan James and Gail McGallion, "School Resource Officers: Law Enforcement Officers in Schools" (Washington, DC: Congressional Research Service).

[17]Dewey Cornell, "The Virginia Student Threat Assessment Guidelines: An Empirically Supported Violence Prevention Strategy," in Nils Böckler et al., eds., *School Shootings:*

cont'd on page 50

Investments in data collection and reporting should be matched with initiatives to ensure that the data accurately reflect school practice.

Kristen Harper is director for policy development at Child Trends. This piece is adapted from her 2019 testimony before the Pennsylvania Advisory Committee to the U.S. Commission on Civil Rights, "The Need for a Comprehensive Approach to Address School Discipline & Discipline Disparities by Race & Disability in Pennsylvania."

Sociology of Education (1999); Amanda Lewis, *Race in the Schoolyard: Negotiating the Color Line in Classrooms and Communities* (Rutgers University Press, 2003).

[20]National Academies of Sciences, Engineering, and Medicine, *Monitoring Educational Equity* (Washington, DC: The National Academies Press, 2019).

[21]Heather J. Hough et al., "Continuous Improvement in Practice" (Stanford, CA: Policy Analysis for California Education, 2017); Linda Darling-Hammond and David N. Plank, "Supporting Continuous Improvement in California's Education System" (Stanford, CA: Policy Analysis for California Education, 2015).

[22]Heather J. Hough, Erika Byun, and Laura Mulfinger, "Using Data for Improvement: Learning from the CORE Data Collaborative" (Stanford, CA: Policy Analysis for California Education, 2018).

[23]David N. Figlio and Lawrence S. Getzler, "Accountability, Ability, and Disability: Gaming the System" (National Bureau of Economic Research, 2002); Brian A. Jacob and Steven D. Levitt, "Rotten Apples: An Investigation of the Prevalence and Predictors of Teacher Cheating," *Quarterly Journal of Economics* 118, no. 3 (2003).

[24]Susan Brookhart, "The Many Meanings of Multiple Measures," *Educational Leadership* 67, no. 3 (2009); Charles A. DePascale, "Managing Multiple Measures," *Principal* 91, no. 5 (2012).

---

cont'd from page 35...Why School Climate Matters for Teachers and Students

[11]Charles T. Clotfelter, Helen F. Ladd, and Jacob L. Vigdor, "Teacher-Student Matching and the Assessment of Teacher Effectiveness," *Journal of Human Resources*, 41 (2006): 778–820; Steven G. Rivkin, Eric A. Hanushek, and John F. Kain, "Teachers, Schools, and Academic Achievement," *Econometrica* 73 (2005): 417–58; Jonah E. Rockoff, "The Impact of Individual Teachers of Student Achievement: Evidence from Panel Data," *American Economic Review*, *Papers and Proceedings* 94 (2004): 247–52.

[12]Matthew Ronfeldt, Susanna Loeb, and James Wyckoff, "How Teacher Turnover Harms Student Achievement," *American Educational Research Journal* 50, no. 1 (2013): 4–36.

[13]Papay and Kraft, "Developing Workplaces Where Teachers Stay, Improve, and Succeed"; Bryk et al., *Organizing Schools for Improvement*; Helen F. Ladd, "Teachers' Perceptions of Their Working Conditions: How Predictive of Planned and Actual Teacher Movement?" *Educational Evaluation and Policy Analysis* 33, no. 2 (2011): 235–61.

[14]Matthew A. Kraft, William H. Marinell, and Darrick Yee, "School Organizational Contexts, Teacher Turnover, and Student Achievement: Evidence from Panel Data," *American Educational Research Journal* 53, no. 5 (2016): 1411–99.

[15]Scott E. Carrell and Mark L. Hoekstra, "Externalities in the Classroom: How Children Exposed to Domestic Violence Affect Everyone's Kids," *American Economic Journal: Applied Economics* 2, no. 1 (2010): 211–28.

[16]Anthony S. Bryk et al., *Organizing Schools for Improvement: Lessons from Chicago* (Chicago: University of Chicago Press, 2010).

[17]Will Dobbie and Roland G. Fryer, "Getting Beneath the Veil of Effective Schools: Evidence from New York City," *American Economic Journal: Applied Economics* 5, no. 4 (2013): 28–60.

[18]Matthew A. Kraft et al., "Educating Amid Uncertainty: The Organizational Supports Teachers Need to Serve Students in High-Poverty, Urban Schools," *Educational Administration Quarterly* 51, no. 5 (December 2015): 753–90; John P. Papay et al., "Learning Job Skills from Colleagues at Work: Evidence from a Field Experiment Using Teacher Performance Data," *National Bureau of Economic Research Working Paper*, no. w21986 (2016), doi: 10.3386/w21986.

[19]Kraft et al., "Educating Amid Uncertainty."

[20]Stephen W. Raudenbush, "Magnitude of Teacher Expectancy Effects on Pupil IQ as a Function of the Credibility of Expectancy Induction: A Synthesis of Findings from 18 Experiments," *Journal of Educational Psychology* 76, no. 1 (1984): 85.

[21]Donald Boyd et al., "The Influence of School Administrators on Teacher Retention Decisions," *American Educational Research Journal* 48, no. 2 (April 2011): 303–33.

[22]Jackson and Bruegmann, "Teaching Students and Teaching Each Other."

---

cont'd from page 47...School Discipline Reform

International Research, Case Studies, and Concepts for Prevention (New York: Springer, 2013).

[18]Heather A. Turner, David Finkelhor, and Richard Ormrod, "Child Mental Health Problems as Risk Factors for Victimization," *Child Maltreatment* 15, no. 2 (2009): 132–43.

[19]Chriqui et al., "Using State Policy to Create Healthy Schools."