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## **From Slow Reform to Meaningful Abolition: Exclusionary School Discipline and the Need for a New Paradigm**

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### **Abstract**

In this essay, we draw on the extant literature to demonstrate the entrenchment of a “reform” paradigm in school discipline policy, research, and practice. We argue that the slow pace of school discipline reform has not served Black children and youth and compels a stronger stance on ending exclusionary discipline once and for all. So long as exclusionary discipline is a viable option for school administrators and teachers, it will be used to the detriment of Black children and youth. What is needed instead is a new paradigm, one focused on the total end, or abolition, of exclusionary practices. Disentangling from current discipline policy and practice will be no small feat and requires legislative changes primarily at the state and federal levels. On the precipice of a return to harsher discipline policies, it is imperative to maintain the progress won in recent years while pushing for the end of exclusionary discipline altogether. Implications of an abolitionist school discipline paradigm in policy, research, and practice are addressed.

*Keywords:* School Discipline, Black Children, Policy Reform, Abolition

### **Introduction**

As education scholars studying race, school discipline, and education leadership, we have witnessed the reliance of what we call a “reform” paradigm of exclusionary discipline over the past 20 years. This paradigm introduced important changes in many districts, but it has not succeeded in ending the use of exclusionary discipline with Black children and youth. What is needed is a concerted effort to end exclusionary school discipline, both policies permitting it and the practice themselves. In this article, we draw on the extant literature to describe the entrenchment of a school discipline reform paradigm in educational policy, research, and practice. We argue that “slow reform” has not served Black children and youth. So long as exclusionary school discipline continues to be an option for districts and schools, Black children and youth will disproportionately experience its adverse impacts across childhood and into adulthood. Instead, a new paradigm is needed, one focused on the total end of exclusionary discipline – in both policy and practice -- across districts and schools, an abolitionist paradigm that removes the punitive, ineffective, and dehumanizing approaches too long relied upon in public schools. Disentangling from the legal and political school discipline web is no small feat. We conclude with recommendations for ending exclusionary school discipline in state and federal policy.

### **Exclusionary School Discipline**

School discipline policies and practices are “the chosen methods and rules that dictate and govern acceptable student behavior” (Irby & Coney, 2021, p. 502). In this essay, we address *exclusionary* school discipline, which is characterized by (1) a reliance on punishment to coerce behavioral compliance and (2) removes children from the classroom or school, typically via office discipline referrals, in- and out-of-school suspensions, expulsions, and placement into alternative educational

settings (Welsh & Little, 2018a). Each year, millions of children are impacted by exclusionary school discipline. In 2017-2018, 2.5 million children received at least one out-of-school suspensions, 2.6 million children received at least one in-school suspensions, and 101,000 children were expelled (U.S. Department of Education, 2017-2018). The underreporting of school discipline data means that the number of children impacted is likely higher (Losen & Martinez, 2020). Exclusionary school discipline negatively impacts student attendance, student achievement, graduation, and increases contact with the juvenile justice system (for a review see Welsh & Little, 2018b). Plagued with ongoing transparency issues, school administrators use exclusionary discipline in ways that undermine children and parents' rights. Failure to follow procedures in accordance with students' rights of due process have been documented as early as the 1970s and continue today, where parents are not informed or able to appeal school official's decisions (Clarke et al., 1982; Wilkerson, 1975). School officials have been found to neglect due process procedures while depriving children of educational opportunity (Williams et al., 2020). Furthermore, while some may argue that exclusionary discipline is rightly punishment to "fit the crime" the reality is far different. Most disciplinary incidents are quite minor and do not require the heavy-handed response commensurate with suspensions, expulsions, and referrals to law enforcement (Irwin et al., 2023).

Since 1973, widespread evidence has indicated that educators disproportionately use suspension against Black children and youth (Edelman et al., 1975). In 1973, the suspension rate for Black children was 6% percent and for white children was 3%. By 2010, the suspension rate for Black children was 16% compared to just four percent 4% for white children (Leung-Gagné et al., 2022). Though suspension rates for white children peaked in the late 1990s, the rate at which Black children were suspended continued to increase until 2009-2010 (Leung-Gagné et al., 2022). Across the decades, research continues to find that Black children are more often punished for minor incidents, and punished more harshly for the same or similar incidents as white children, despite that misconduct, or attitudes toward it, are not greater among Black children compared to white children (Anyon et al., 2014; Huang, 2018, 2020; McFadden et al., 1992; Shaw & Braden, 1990; Skiba et al., 2011; Wu et al., 1982). Black children have been penalized minor and subjective behaviors that are either similar or less egregious than those of their white peers (Pernell, 1990; Skiba et al., 2002). The reform paradigm fails to take into account a truth about exclusionary school discipline: as long as it exists, it will be used as a tool of white supremacy harming Black children and youth.

The consequences of suspensions are disastrous for children, who suffer multiple adverse impacts (Morris & Perry, 2016; Noltemeyer et al., 2015; Welsh & Little, 2018b). A detailed analysis by Losen and Martinez (2020) found that during a single school year, 11.4 million days of instructional time were lost due to out-of-school suspensions. This equals 62,000 *years* of lost instruction time - in a single year. Nationally, Black children lost 103 days per year compared to white children (21 days). As an example of what this means at a district level, consider the following: In one school year, in New York City Schools, the rate of lost instruction due to suspension for all children was 23 days, but when disaggregated by race, the rate was 54 days for Black children compared to 7 days for white children.

Given that the same children can be, and are, suspended multiple times, 11.4 million days of lost instruction underestimates the real impact of learning time loss due to suspensions. Furthermore, this number excludes a range of in-school exclusionary discipline strategies such as classroom removals and in-school detentions, nor "soft" – or informal – out-of-school suspensions (Williford et al., 2021; Wiley et al. 2020; Wiley et al., 2023). In short, even this shocking number likely undercounts the costs of exclusion on academic instruction. With the significance of lost

instructional time, it is not surprising that suspension contributes to students' poor academic achievement, student drop-out, increased contact with the juvenile justice system (Welsh & Little, 2018b). These impacts reverberate across the life course, with implications for future professional, economic, and later life outcomes. Through the denial of instructional time and related adverse impacts on student achievement and life outcomes, out-of-school suspension constitutes not just a singular event in a child's trajectory but rather longitudinally constitutes a form of dispossession.

### **The Historical Rise of Racialized Mass Exclusion**

Scholars commonly attribute the rise of exclusionary discipline and racial disparities to the zero-tolerance era, a time period that spanned the late 1980s, 1990s, and early 2000s (Irby & Coney, 2021; Wiley & Middleton, in-press). National policy decisions during that time increased the use of suspensions and expulsions across public schools. One of those was the 1994 Guns Free Schools Act (GFSA), which required states receiving federal funding to (1) expel any student for at least one year for bringing a firearm into school and (2) to involve law enforcement as a first responder to varying student infractions. In 1995, the GFSA was modified to replace "firearm" with "weapon," and amended in 1997 to include drug offenses, thus expanding zero tolerance policies to include infractions beyond firearms to weapons and drugs more broadly (Irby & Coney, 2021). By 2000, most school districts had adopted zero-tolerance policies to comply with the GFSA (Irby & Coney, 2021; Leung-Gagné et al., 2022). The use of out-of-school suspension greatly expanded under these policies. Between 1973 and 2009 the national suspension rate rose from 4% to 7%, with particularly high increases during the 1980s and 1990s (Leung-Gagné et al., 2022). These aggregate numbers belie extensive racial differences: during that same time, the suspension rate for Black children rose from 6% in 1973 to 16% in 2009 while the rate for white children rose from 3% to 5% (Leung-Gagné et al., 2022).

While many attribute the zero-tolerance era to the origins of over-disciplining of Black children), the use of exclusionary discipline, its discriminatory impact on Black children, and the relationship between discipline to the carceral system began earlier (Williams, 2024). School administrators' use of suspension and expulsion increased dramatically in response to school desegregation (Chin, 2021). Suspension rates in southern – and northern -- desegregating districts increased for both Black children and white children, but at much higher rates for Black children. Having lost the legal battle against desegregation, white officials relied on exclusionary school discipline to resist integration of Black and white children and to undermine Black educational opportunity (Edelman, et al., 1975; Eitle & Eitle, 2004; Thornton & Trent, 1989; Eyler, 1982). Today, the highest Black-white racial discipline disparities are seen in districts where white resistance to school desegregation was historically the strongest (Kupchik & Henry, 2022). Given this history, some have conceptualized exclusionary discipline as *the afterlife of segregation* (ross, 2020). Even prior to *Brown*, early 20<sup>th</sup> century public schools forcibly excluded Black children from public education, rather ironically,, utilizing enforcement of compulsory education laws (Agyepong, 2018). As this history makes evident, the over-disciplining of Black children today is a long-standing form of racial discrimination in public education, one that education advocates, policymakers, and researchers have diligently tried to change for the last 75 years.

### **The Reform Paradigm**

Over the last twenty years a *reformist paradigm* to addressing exclusionary school discipline -- understood as a general approach to policy and practice emphasizing incremental change within

existing structures (Davis, 2003; Kaba, 2021; Kingdon, 1984; Love, 2023) -- has been evident in both education policy and research. We argue the reformist paradigm has incrementally changed discipline policy and practice without fundamentally transforming the widespread use of exclusionary discipline in public schools, particularly for Black children and youth. In the next section, we explain this argument in more detail by describing recent reforms and the failure to end racial disparities for Black children. Then, we argue for the need to end exclusionary discipline, in policy and practice, rooting this paradigm in a tradition of abolitionist scholars (Davis, 2003; Kaba, 2021; Love, 2023).

### ***Recent School Discipline Policy Reforms***

Since the 1970s, concerted efforts have fought to end what have been called the “school-to-jailhouse track” and “the school-to-prison pipeline” (Edelman, et al., 1975; Losen & Wald, 2003; Warren, 2023). This social movement has been driven by organizers, advocates, researchers, and policymakers. In just the last 20 years, Black and Latino community organizers across the country in districts including Chicago, Illinois, Denver, Colorado, Oakland, California, and Holmes County, Mississippi -- districts serving high numbers of Black and Latino children and with long histories of community organizing against racial oppression -- won changes to school discipline conduct codes and state discipline policy (Anyon et al., 2019; Warren, 2023). Action at the local level also spurred action on the federal level: when, in 2011, the Obama Administration launched the Supportive School Discipline Initiative, a comprehensive effort to address widespread use of exclusionary discipline and to reduce its impact on students of color and students with disabilities. Then, in 2014, the U.S. Departments of Education and Justice released guidance that sent a reminder to states and LEAs regarding districts’ non-discrimination obligations under federal law and encouraging districts to reduce the use of exclusionary discipline and to incorporate alternatives such as positive behavioral supports and restorative practices (U.S. Dept. of Justice and Education, 2014).

The combination of grassroots community organizing and prioritization at the federal level prompted dozens of states to pass new legislation aimed at reforming discipline policy (Mediratta, 2012; Ritter, 2018; Warren, 2022). At the state level, in 2008, for the first time, the number of legislative bills proposed restricting the use of suspension and expulsion surpassed the number of those that expanded their use (Education Commission of the States, 2019). This trend continued, and between 2013-2018, 36 state bills *restricted* suspension and expulsion (or encouraged non-exclusionary alternatives), while fewer than 10 state bills sought to *expand* their use (Education Commission of the States, 2019). Most bills restricted the use of suspensions or expulsions under certain conditions, such as restricting suspension and expulsion for children in early grades (e.g., pre-K-3), limiting the length of time a child could be suspended or expelled, while other bills expanded data reporting requirements (Education Commission of the States, 2017). By 2019, 16 states and the District of Columbia limited suspension in certain grades, and 17 states and the District of Columbia outright prohibited suspension for truancy.

In addition to state changes, numerous districts changed discipline policy, sometimes preceding or following state changes. In some districts, reform efforts focused on reducing suspension and reducing or eliminating racial disparities. For example, Denver Public Schools, whose district-level reform resulted from a multi-year campaign by community and youth organizers, and preceded changes at state level, sought to reduce out-of-school suspension and expulsion and to eliminate racial disparities (Anyon et al., 2018). Other districts ended suspension for certain infraction types, including Los Angeles and Philadelphia, which both prohibited suspension for certain forms of

minor misconduct (Hashim et al., 2018; Ritter, 2018; Steinberg & Lacoë, 2017). While part of the reform movement has focused on legislation restricting suspension and expulsion under certain conditions, another part of the policy reform movement has focused on legislation that addressed “non exclusionary alternatives” (e.g., restorative justice, multi-tiered systems of support).

As of 2021, 37 states and the District of Columbia included “alternative” disciplinary practices in state statutes or regulations and included community service, conflict resolution, counseling, peer mediation, positive behavioral interventions, restitution and restorative justice (Education Commission of the States, 2021). The reform movement’s legislative efforts won “soft” language, that is, language that does *not mandate or require*, but instead “encourages” districts to use non-exclusionary alternatives. For example, a Florida state statute reads “schools are *encouraged* to use alternatives to expulsion by addressing behavior through restitution...” Similarly, in Colorado, school districts are “*encouraged* to consider whether a lesser intervention would properly address the violation committed by the student.” And in Texas, similarly tepid language states that “districts *may develop* positive behavior programs that provide alternatives to discipline for children below grade 3.”

On the one hand, such changes, even tepid as they might be, may reflect progress on restricting the use of exclusionary discipline, particularly suspension and expulsion and promoting non-exclusionary alternatives. These changes may be further seen as an encouraging sign that, gradually, and state-by-state, lawmakers are becoming more amenable to progressive positions on school discipline. However, this position overlooks that exclusionary discipline is still a readily available policy option, as many states still either require or permit the use of it under specific instances and even allow for it under minor and subjective categories. Though most people commonly believe that suspension is used for egregious misconduct, states still permit suspension for a variety of minor issues. As of 2021, 32 states *still* permit suspension and expulsion for “defiant or disruptive behavior” even though research has found this category prone to racial bias particularly impacting Black children (Education Commission of the States, 2019; Skiba et al., 2002, 2011). While reforms have occurred in many states and districts, out-of-school suspension and expulsion – as well as other forms of exclusionary discipline – remain widely available.

### ***Education Research and Reform Efforts***

Research on exclusionary school discipline has an equally long history running parallel to, and intersecting with, the social movement against the school-to-prison pipeline. Early research in 1974 and 1975 by the Children’s Defense Fund revealed extensive over-disciplining of Black children (Edelman et al., 1974, 1975). These reports challenged dominant narratives at the time which characterized children’s misbehavior as a problem of children themselves rather than a consequence of unequal education institutions and racial discrimination. In particular, the 1975 report was central to showing that Black children were punished disproportionality and for minor and subjective reasons. A sizable number of research studies followed, often focused on Black boys (Noguera, 2003; Strauss & Stewart, 1999) and increasingly has focused on the particular vulnerability of Black girls to harsh discipline (Blake et al., 2011; Hines-Datiri & Carter Andrews, 2020). On this, it’s important to recognize that the lag time between research examining the impacts of exclusionary discipline by gender, and other intersections (special education, LGBTQ status, culture, language, gifted and talented), highlights a dichotomous approach to reform that is abetted by research; an emphasis often occurs either on one marginalized group at a time, or none at all. Often, as researchers begin to capture the extent of reform efforts on exclusionary outcomes for one group (i.e., Black boys in middle school), the dissemination of those findings do not account for the

collateral damage caused by the reform efforts on other marginalized groups. This dichotomy often undercuts intersectional investigations and remedies, as it relates to who should be served first by school discipline reform remains ever present throughout numerous social constructs and learner categories. We are not suggesting that groups should be excluded from research that illuminates discriminatory practices, rather, a significant short-coming of reform efforts is the prioritization of select groups while sacrificing other groups which could be just as disenfranchised by school discipline outcomes, and identifying and remedying the impacts of discipline on those marginalized at multiple intersections (for example, Black children with disabilities are often suspended the most) we believe will improve systems and outcomes for children on the whole .

As researchers uncovered just how ineffective punitive school discipline approaches were for children (especially Black children), the attempts to reform such measures typically addressed school approaches or district/state approaches. A segment of research concerning reforms at the school level often highlight the various factors that require reconfiguring, but which may overlook that exclusionary outcomes are a feature of a school's adherence to an explicit or implicit punitive model, rather than an outlier to it. Numerous studies place a heavy emphasis on teacher preparation and the role that classroom management and instruction have on reducing office referrals, which further lead to suspensions (Kwok, 2017; Williams, 2022;). Still, efforts to reform teacher practices and teacher preparation have been short-sighted: if these reforms are not combined with a focus on addressing the dispositions/ideologies that teachers hold towards children who are not from their cultural, racial, linguistic or socioeconomic background, the avenues through which bias moves remain uninterrupted. Furthermore, as school leaders have attempted to provide more responsive approaches to school discipline for all teachers, their short-term and long-term efforts are often mitigated by just a few teachers that maintain the belief that punitive approaches are more effective (cite?). Just a small number of teachers can produce large racial discipline gaps. Liu et al. (2023) found that 5% of the teachers were responsible for doubling the racial gap between Black children and white children with regard to office referrals. When allowed the option (such as an office referral), some teachers will lean heavily on this option despite the ability to exhaust all other options before removing a student from class.

Another school-level effort within the reform movement has sought to establish congruence between the ethno/racial identity of teachers and children. The overwhelming majority of teachers are middle class white women, whereas the majority of schools in the U.S. educate children who do not look like the instructor at the front of the room. While a segment of research has pushed for the diversification of the teacher workforce as one approach to reducing disciplinary outcomes for marginalized children (Shirrell et al., 2023), simply placing Black teachers, regardless of their dispositions towards Black children, will not fully ameliorate the rate at which exclusionary practices are levied (Williams et al., 2020). Racial congruence between teachers and children in the classroom is yet one of many approaches to reducing the use of exclusionary practices.

Importantly, focusing on racial congruence alone does not acknowledge the disciplinary options that teachers (regardless of their race or ethnicity) have at their disposal may be circumscribed and may still promote exclusion. For example, studies in the last few decades have focused on exemplary school discipline models as silver bullets for exclusionary practices. Positive Behavioral Interventions and Systems (PBIS) and restorative practices or restorative justice models have emerged as potential ways to reduce exclusionary discipline. Regularly, research has highlighted specific cases of their effectiveness, but concerns remain of their limited capability to eliminate disparities due to uneven implementation and the continual availability of exclusionary discipline

options (Davis, 2017; Tyre & Feuerborn, 2021). Additionally, when those models are utilized for school discipline reform, rarely is a full account provided of implementation fidelity, the way punitive disciplinary options were utilized, the role of teacher, administrator, district staff turnover, or the role of specialized funding sources in implementation. Thus, what researchers have presented are snapshots of reforms that do not provide a full account of the sustainability of those models amidst social, political, and economic changes that occur yearly within schools.

And, research on reform has indicated that schools, and the educators that work within them, do not operate in isolation. Rather, their ability to make changes is predicated on various factors deriving from their local education agency (i.e., school district). When analyzing reform efforts at the district level, studies have found that people and institutions with more administrative power (area superintendents, school board members, state governing boards of education) dictated if and how school discipline reform occurred (Curran & Finch, 2021; Welsh, 2023; Williams et al., 2020). For example, Williams et al. (2020) explored the experiences of assistant principals as disciplinarians at two middle schools. Whereas one middle school found support from area leadership to utilize less punitive approaches to correct behavior, the other struggled to transition away from suspending children. The rationale as three of the assistant principals indicated was due to district leadership “cracking down” on misbehavior, when previous limited attempts to use less punitive practices did not reduce the number of office referrals in the previous academic year. Similarly, Williams et al. (2020), found that within the same district, school administrators made sense of and differently utilized the newly reformed district conduct code. Whereas several schools took a proactive approach and discouraged exclusionary discipline other schools in the same district used a punitive approach reliant on exclusionary discipline. What can be gleaned from these studies about reform is that the localized preferences and philosophical approaches of school and district officials can undermine reform efforts.

Reform is never conducted on a blank canvas and approaches to altering how school discipline is applied are always undergirded by the reality of punitive options remaining a “last resort” in many district and state policies. The premise is undergirded by the idea that without exclusionary punishment, children will not get the “lesson” and reform their habits. What this premise ignores is that exclusionary discipline practices, in and of themselves, are detrimental and do not unequivocally translate into better behavior by children. Creating and sustaining an artificial threshold of acceptable removals via punitive practices undermines any likelihood of “reform” being successful for all children.

Relatedly, the reform movement has been undergirded by a discourse regarding acceptable losses as it relates to school discipline. That is to say, regardless of what type of program, approach, policy change, or pedagogical alteration, there will always be a segment of the student population (i.e., a few bad apples in a barrel) who’s actions will warrant their swift and decisive removal from schools. The problematic nature of tolerating a small percentage of “acceptable” loss is that a what counts as “small” is subjective and negotiable. Research has indicated that, on an ideological level, punitive practices are acceptable among school leaders as long as they are seen as (1) pertaining to safety and order in schools, and more often than not, and (2) when this “small” percentage of students consists of Black children (Wiley, 2021). The well-being of Black children is often minimized under the guise of securing the school building, keeping faculty ‘safe’, or preserving the “right to learn” for those children deemed worthy (Wiley, 2021). Creating and sustaining an artificial threshold of acceptable removals via punitive practices undermines any likelihood of “reform” being successful for all children because educators can always rationalize the use of punishment. When behaviors are



classified as disruptive towards the safety and security of those in the building, learning opportunities, or teachers' instructional practices, the removal of the student, regardless of the outcome, is considered justifiable – and remains a normative feature of reform.

This logic overlooks numerous findings on the misapplication of school discipline and glosses over a critical proposition: maybe the barrel (education system) was rotten from the beginning. Instead of rationalizing that there will always be a few bad apples, the more responsive approach needs to incentivize extending towards institutionalizing that the philosophy that there are *no acceptable forms of exclusion* towards children because there are simply no such thing as bad apple children, and as educators we do not give up on children and youth. A change also requires a shift from *blaming children* to holding institutions and systems responsible for exclusion. Yet, to cultivate and maintain this disciplinary approach requires educators, educational leaders, and policy makers to hold to the idea that no level of loss or “collateral damage” is acceptable, especially in an industry that values the lives of those it serves (Perry & Morris, 2014; Jabbari & Johnson, 2020; Mowen, 2017).

### **The “Wins” of Slow Reform Continue to Fail Black Children**

Have Black children and youth been well served by school discipline reforms over the last twenty years? We would argue no. Black children and youth remain nearly as vulnerable today to suspension and other forms of exclusionary discipline as fifty years ago. Several examples highlight the failure of reforms to fundamentally end the over disciplining of Black children and also showcase that the impacts of reform on Black children often are considered secondarily to reductions in suspension rates alone. Baker-Smith (2018) studied New York City's 2012-2013 removal of suspensions for low-level infractions and found that suspension rates did decrease overall from 7% to 5.8%. Rates differences were slight for Black children and the gap between Black and white children remained large. Suspension rates for Black boys decreased from 14.7% to 12.8% and for Black girls from 10.5% to 9.4%. Suspension rates for white boys decreased from 5.2% to 4.0% and for white girls from 2.4% to 1.6%. Baker-Smith found that despite reductions in first-time suspensions, children in all groups were more likely to be suspended a second time once an initial suspension had been assigned, and that this was highest for Black boys. Overall, Baker-Smith concluded that the district's policy change met its intended goal of reducing the use of suspensions overall, but that despite small changes in suspension rates by race, large existing differences in racial disparities went unchanged.

Similarly, Anyon et al. (2014) studied the effects of discipline policy reform in a large urban district where in 2008 the district reformed its discipline policy to reduce the use of suspensions, implement restorative justice and therapeutic alternatives, and to eliminate racial disparities. The district reform was associated with a 40% reduction in suspension and expulsion rates. The percentage of Black children suspended, and white children suspended decreased by 1% over four school years for each group: Black children from 13% to 12% and white children from 4% to 3% (Anyon et al., 2014, p. 382). However, as those numbers made evident, the difference in suspension rates between Black and white children was nowhere near eliminated four years into the reform and Black children still had higher odds of suspension after controlling for a variety of student-level factors. In a later study, Anyon et al. (2016) similarly found that while reform had some positive impacts, the Black-white suspension gap persisted, indicating that Black children and youth were not wholly served by the district's reform efforts.

Hashim et al. (2018) studied the effects of Los Angeles Unified District's discipline reform, which placed a ban on suspensions and, like Denver, required the implementation of restorative justice. Like Anyon et al. (2014), Hashim et al. found a large decline in suspensions following the reform, but, also like Anyon et al. (2014, 2016), differences remained between the rates at which Black and non-Black children were disciplined. Similarly, in 2013, the School District of Philadelphia reformed its conduct code to prohibit suspension for two types of infractions (1) failing to follow classroom rules and disruption and (2) using profane or obscene language or gestures (Steinberg & Lacoe, 2017). In the year following the change, the number of overall suspensions and days of suspension for Black children increased and while suspension disparities were reduced in the reform-targeted category, suspensions grew on the whole. Switching from district to state-level, Anderson (2018) examined Arkansas' 2013 new state law prohibiting suspensions for truancy and found that three years into the reform school administrators were still applying suspension as a disciplinary consequence for truancy. Furthermore, schools with higher proportions of Black children were less likely to comply with the policy, meaning that schools with more Black children continued to suspend children (and, likely Black children) for truancy despite it being prohibited by state law.

These studies suggest that reforms, particularly those imposing limits on suspension in a piece-meal fashion, may generate a decline in overall rates of suspension but do not change the greater likelihood of punishment for Black children and youth. Additionally, the reform literature speaks to the "wins" of reductions in suspensions, but as Black children and youth continue to experience the greatest rates of vulnerability to punishment in schools, the primary measure of discipline reform's success should be its impact on Black children, rather than reserving this as a secondary indicator. Even with these studies in mind, findings from individual districts do not convey the magnitude of the continuing suspension problem for Black children and youth in the U.S. In 2017-2018, the most recent year of reliable Office for Civil Rights prior to COVID-19, of 7.6 million Black children in public schools, nearly 2 million received one or more in or out-of-school suspension and 40,000 Black children were expelled from public schools in one school year. The national reform movement with its frequent district-by-district piecemeal approach has failed to end the nearly 50-year trend of administrator pushout of Black children vis-à-vis exclusionary school discipline.

### **It's Time to Abolish Exclusionary School Discipline**

Fifty years ago, civil rights leader and child advocate Marian Wright Edelman challenged the public to fundamentally question the utility of exclusionary school discipline, stating, "children are thrown out of school for a vast array of offenses...with so little consideration for their personal and educational interests as to call into question the underlying validity of suspension as a school policy" (Edelman et al., 1974, p. 118). The utility of suspension as an effective policy for improving achievement or improving school safety remains unsubstantiated. Since Edelman's writing, educators have continued to use suspension and other forms of exclusionary discipline across roughly four generations, arguably adversely impacting not only Black children and youth but deepening parental mistrust of schools and districts. Now is the time to abolish suspension and other forms of exclusionary school discipline. *Abolish* means to "formally put to an end" (New Oxford American Dictionary, 2023). In the racialized context of the U.S. *abolition* has referred to the movement to end enslavement of Africans and people of African descent and the movement to end the prison system and the school-to-prison pipeline, all systems of which have been central to the maintenance of white supremacy (Davis, 2003; Kaba, 2021; Love, 2023). We join others in calling for the abolishment of exclusionary discipline (Kaba, 2021; Love, 2023), and specifically for the end of out-of-school suspension and other forms of exclusionary discipline in both *policy and practice*,

including in-and-out of school suspension, expulsion, seclusion rooms, and alternative schools for disciplined children and youth. To cultivate and sustain the well-being of Black children and youth in education, it is imperative that models to end exclusionary discipline are grounded in abolitionist practices rather than simply reform. Reform centralizes a notion that there are core aspects within the practice, policies or procedures that are worth saving, yet only require new ideas and innovations to make these aspects worthwhile in today's world. If we are striving for school discipline models that support Black children's growth as exemplar, simply reforming antiquated models that were based on racialized forms of school punishment will only reduce inequitable treatment rather than eliminate them.

Ending exclusionary discipline would require, namely, changes in state and federal law and regulation, as the over disciplining of Black children and youth is too serious an issue to be left to the decision-making of individual school districts. What is needed is a national agenda for dismantling exclusionary school discipline, "rather than by district or school" (Irby & Coney, 2021, p. 504). District-specific initiatives, while well intended, have not been able to eradicate administrators' over reliance of exclusionary discipline (Anyon et al., 2016; Hashim et al., 2018). This is not to say there have not been successes; however, the historical, ongoing macro-level issues cannot be addressed on a district-by-district basis, reliant upon the political whims of boards of education and variable enforcement among federal administrations. Disentangling from the legal and political web thus far will be no small feat and requires political leadership and legislative changes primarily at the state and the federal level. That numerous states and districts have placed restrictions on exclusionary discipline demonstrates the impact that a movement can have on discipline policy and should be seen as encouraging the next legislative step: fully removing exclusion discipline from state and district statutes and regulations. As states have a primary responsibility for ensuring educational opportunity, states have a significant role to play in ending exclusionary discipline.

Approximately 32 states and the District of Columbia still allow suspension and expulsion. Just as state legislatures have demonstrated the ability to modify discipline laws to reflect prohibitions on suspension and expulsions in select instances, states should take the next step to completely prohibit the use of suspension and expulsion for any offense Pre-K-12th grade. As has been advocated by others, state laws need to remove suspension and expulsion as an option (Justin, 2021). Such action is necessary to alter the current power dynamic that "leaves children vulnerable to excessive punishment" (Bell, p. 133). This position may sound extreme; one that would leave schools vulnerable to serious misconduct. Yet most suspensions, however, are actually assigned for minor reasons. Nationally, and up until the pandemic, issues such as insubordination accounted for a larger share of suspensions and expulsions over time, while the proportion of serious misconduct (weapons, drugs) has declined during the same period in suspension and expulsions restrictions have been enacted (Steinberg & Lacoe, 2017b). Recent news headlines would suggest that schools across the country are facing a post-pandemic student behavior crisis (e.g., Jimenez, 2023). Indeed, minor conflict related to bullying and children and classroom "disorder" is reportedly higher than in recent years (NCES, 2021). Overall, though, serious disciplinary incidents at school remain lower than 10 years ago and a high proportion of educators see student behavior as relatively similar or only slightly worse than in previous years (Irwin, 2023). The occurrence of conflict in some schools and districts should not distract from the overall trend of schools as places where disciplinary incidents and serious crime remain relatively low.

But to debate exclusionary discipline in relation to the occurrence of conflict in schools is to, again, engage in a line of thinking that under certain conditions, namely egregious incidents, exclusionary

discipline is warranted. Exclusionary discipline should not be justified on the severity of an incident, however. Decades of research yield no evidence of its efficacy for resolving conflict or violence in schools. Instead, we have had good evidence for at least 20 years that conflict and violence reduction programs work (Voight & Nation, 2016). There have been and continue to be better alternatives for preventing, responding to, and resolving conflict in schools. Enumerated in countless reports, toolkits, and memos, these alternatives should become not the optional or encouraged response, but the only response available to administrators and educators. As such, state law must include mandatory language that requires the use of current alternatives and states must create long-term funding sources to train school staff on current alternatives, because abolishing exclusionary discipline is best supported by adding to and deepening educators' toolkits for conflict prevention and resolution (Justin, 2021). Aligned with this, action is needed at the federal level to eliminate the Guns Free Schools Act [GFSA] and to use federal authority to mandate and fund educational programs that prevent school violence and that support educational well-being. As Coney & Irby write, "mandating such interventions is critical..." (p. 505).

Federal and state action could work in complementary ways to support not only disciplinary alternatives to exclusion but to close school resource inequities, training and professional development, and staffing shortages that further contribute to challenging school climates through ample and long-term grant funding sources. This is consistent with what public school leaders are saying schools need (NCES, 2022). The measure of positive change in ending exclusionary discipline must be indicated by the well-being of Black children, youth, and parents and in criteria established by Black children and families. By definition, abolition seeks to end the use of specific practices but it is also a prospective promotion of building up social institutions and systems that render punishment unnecessary (McLeod, 2015, p. 1172). The school-based contributors to the over disciplining of Black children and youth can be redressed. To do so, federal and state legislation should allocate long-term funding for expanding pathways for Black teachers and principals, curriculum design and implementation centered on Black history and African American studies, and state-university-district partnerships with Historically Black Colleges and Universities.

Should states or federal law prohibit exclusionary discipline is not to suggest that the elimination of suspension will fully end its use in actuality, at least initially. In districts that have eliminated suspensions, they continue to persist. In Arkansas, truancy suspensions continued, even three years after a reform to end them (Anderson, 2018). In New York City, despite reducing suspensions, they saw an increased likelihood that first-time suspended children would be suspended again (Baker Smith, 2018). In Philadelphia, schools continued to use suspension for low-level misconduct despite prohibitions (Steinberg & Laco, 2017), and in Los Angeles, overall suspensions declined in the first two years following but began to tick upward in year three (Hasim et al., 2018). Even if states were to prohibit exclusionary discipline, state and federal data reporting on exclusionary indicators should be maintained to allow for civil rights monitoring and targeted district interventions. Standardized indicators should be added that allow for districts and schools to show progress on non-exclusionary discipline measures, indicators which are regularly publicly available in formats linked by student demographic information, infraction type, and administrative response and whose review is supported through convenings of statewide civil rights, education, and child development coalitions.

## Resurging Pushout Policies

As we write this, changes at the federal level are likely to make it even more important that states and localities act to maintain wins to reduce exclusionary discipline and to advance it wherever possible. Recently, though, a number of states have sought to make it easier to suspend and expel children. In Arizona, the state made it easier to suspend kindergarteners after eliminating previously imposed restrictions on kindergarten suspension made during an earlier reform cycle (Arizona General Assembly). Kentucky also amended state discipline law to make it easier to suspend children and authorizes suspension as a consequence to three classroom removals. It further permits the suspension of children for incidents that occur off school grounds (Kentucky General Assembly). In West Virginia, an amendment to the state discipline law made it easier to remove children from class for subjective reasons including “interfering in the educational process” and “obstructing a teacher” (Adams, 2023). Children who are removed from class three times in one semester are then suspended from school. Nevada reduced the permissible age of suspension from children of eleven years in age to six years in age (Davis, 2023). Nevada also removed a 2019 requirement for schools to provide children a restorative justice plan prior to removing them from a classroom or school. Like Arizona, Nevada’s requirement had been put in place during an earlier era of school discipline reform. And in Florida, where teachers already maintained the right to temporarily and/or permanently remove children from class, the state passed the “Teachers Bill of Rights” which adds the presumption that removing a child for disciplinary reasons is necessary to maintain classroom safety (Turbeville, 2023). It is anticipated that more states will pursue legislation making it easier to remove children from class and suspend and expel children in 2024 (Povich, 2023).

## Conclusion

Over fifty decades of research, reports, and advocacy illuminate the need to abolish the way we approach the execution of policies, procedures, and rules regarding student behavior as it intersects race, and cultural expectations. In our attempt to address school discipline outcomes, reducing those outcomes for Black children and those who are the most disadvantaged, the concept of removing children from classrooms has not fully exited the school discipline lexicon. Essentially, the reduction in the number of suspensions still does not fully justify the harmful treatment of the Black children who are still being suspended by a patchworked system that prefers sentencing instead of disciplining children through an affirming pedagogical approach. The adverse outcomes from being removed from the classroom offers an experience for Black children that is void of educational growth and mastery. Thus, one less suspension, numerically, ignores the quality of the experience when Black children remain exposed to a school punishment system built on the universal denial of their educational rights.

Exclusionary school discipline does not need a reform or a reimagining, as its conceptualization and operationalization was never fully defined or imagined in an apparatus absent of the racialized history that is ingrained in the U.S. and its citizens – whether knowingly or unknowingly. To enact school discipline from an abolitionist framework requires instilling approaches that recognize potential harms and centralize holistic practices that have consistently, with fidelity, returned children to the classroom with a stronger understanding of why certain behaviors are inappropriate in the classroom. Secondly, in formalizing policies at multiple levels (national, state, district and school) there must be a concerted attempt to seek input from those who are typically excluded from previous reform attempts – Black children. What does policy creation in the area of school discipline look like when Black children are at the proverbial table? What other alternative disciplinary

responses can policymakers provide districts while simultaneously offering guaranteed funding and resources to support training educators to use these responses? These questions can be answered when we as researchers demand the complete removal of suspensions as a viable option to reprimand misbehavior. Harkening to the originators of abolitionist work, enslaved Africans, the abolishment of out- of- school suspensions will require researchers to listen and observe schools and other learning environments (e.g., after-school programs, community programs) to glean what can be effectively implemented in schools. While we cannot explicate the entirety of necessary legal and regulatory requirements to end exclusionary discipline, we hope this essay encourages others to join us in developing a local, state, and federal framework for abolishing exclusionary discipline policies and practices and engaging in community building among scholars, educators, advocates, and policymakers around such efforts in coming legislative sessions.

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