

Your Question:

You asked for information on state school suspension policies. Specifically, you requested information on how states are ensuring equity in disciplinary responses at the school level.

Our Response:

A [growing body of research](#) suggests that exclusionary and punitive school discipline policies negatively impact student achievement, increase students' risk of drop-out and increase the likelihood of students' future involvement with the criminal justice system. The adverse effects of these policies are especially devastating for students of color and students with disabilities, who have historically been [subject to higher rates](#) of exclusionary and punitive discipline. [National-level data](#) show that black students in K-12 are 3.8 times more likely to be suspended, and twice as likely to be expelled, as white students. Policymakers have attempted to address these problems through legislation aimed at striking an appropriate balance between promoting a safe school environment and reducing the adverse effects of harsh disciplinary policies. Generally, legislative efforts to address school discipline policies have focused two main areas of concern: limiting suspension and expulsion and establishing alternatives to punitive disciplinary practices in schools.

The inequitable application of discipline policies at the local level is also of concern. Some [research](#) indicates that punishments are unfairly applied based on race and gender, [even under similar behavioral circumstances](#). While there has been much attention paid to limiting the use of exclusionary discipline more generally, we have yet to see state-level policy action aimed at directly addressing inequities in the application of school discipline at the local level. It seems that much of the guidance around equitable application of discipline is aimed at the school or district level. Below is some information on state policy trends in school discipline as well as some resources that might be helpful to you as you investigate potential policies to address the equitable application of discipline policies.

State Policies on School Discipline

While we were unable to locate state-level policies that directly aim to address the inequitable application of suspension or expulsion, we have included information on general trends in state school discipline policies below.

Current State Statuses--

According to a recent [scan of state policies on school discipline](#), most states place some limitation on the use of suspension or expulsion and approximately 16 states and D.C. limit suspension or expulsion by grade level. About 17 states and D.C. prohibit suspension or expulsion solely for a student's attendance or truancy issues. When it comes to reporting, about 33 states plus D.C. explicitly require some level of reporting, with several requiring data to be disaggregated by race, gender and/or disability status.

Recent State Legislation--

In January 2018, ECS published two snapshots outlining recent state policies related to [Suspension and Expulsion](#) and [Alternative School Discipline Strategies](#). In 2017 alone, at least 35 bills were proposed across 18 states, including California, related to suspension and expulsion. Also in 2017, at least 26 bills were proposed across 12 states and D.C.

related to alternative school discipline strategies, including PBIS, and the use of restorative and trauma-informed practices.

Further Resources

The Positive Behavioral Interventions and Supports technical assistance center has a few resources related to discipline disproportionality. This [Guide for District and School teams](#) provides resources in developing school and district policies and procedures to reduce disproportionality in school discipline. This guidance document outlines a 5-point multi-component approach to achieving disciplinary equity, including:

- Use engaging academic instruction to reduce the opportunity gap
- Implement a behavior framework that is preventive, multi-tiered, and culturally responsive
- Collect, use and report disaggregated discipline data
- *Develop policies with accountability for disciplinary equity*
- Teacher neutralizing routines to address implicit bias

This 2016 study, [Vulnerable Decision Points for Disproportionate Office Discipline Referrals: Comparisons of Discipline for African American and White Elementary School Students](#) used school discipline data from 1,666 elementary schools and over 480,000 office discipline referrals to identify specific situations in which disproportionality was more likely. The study found that African-American students receive office discipline referrals at a higher rate for subjectively defined behaviors than their white peers. Additionally, these disparities were more likely to occur under certain circumstances: at the end of the day, in classroom settings, for severe incidents and for African-American females as opposed to White females. Given this information, schools and district may be more able to address disciplinary disparities.

This [report](#) prepared for the Washington Association of School Administrators, identifies several strategies to support equitable school discipline. Section III will likely be of most interest to you, as it outlines ways that schools might use discipline data to target interventions and improve equitable outcomes. Some of these strategies might be useful as you consider potential state policy interventions.