


JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS

BREAKING SCHOOLS' RULES:
A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement

The School Discipline Consensus Project

Presentation to the Michigan Leadership Summit on School-Justice Partnerships: Keeping Kids in School and Out of the Justice System

September 18, 2013
Carl Reynolds
Senior Legal and Policy Advisor
Council of State Governments Justice Center




Council of State Governments Justice Center
New York - Austin - Seattle - Bethesda

- CSG is a national non-profit, non-partisan membership association of state government officials
- CSG engages members of all three branches of state government
- The CSG Justice Center provides practical, nonpartisan advice informed by the best available evidence

Corrections	Courts	Justice Reinvestment	Law Enforcement
Mental Health	Reentry	Substance Abuse	Youth

2

Overview – Part I



BSR Background and Methodology

BSR Findings

School Discipline Consensus Project

Council of State Governments Justice Center | 3

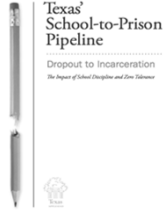
2007 - Texas Appleseed Launches School Discipline Project

“Texas’ School-to-Prison Pipeline, Dropout to Incarceration: The Impact of School Discipline and Zero Tolerance”

Over-representation of African American and special education students in discretionary referrals to Disciplinary Alternative Programs (DAEPs)

Where a child attends school is the greatest predictor of a student’s receiving a disciplinary referral

High recidivism and dropout rates for DAEPs, compounded by lack of state oversight.



Texas' School-to-Prison Pipeline
Texas Appleseed
<http://www.texasappleseed.net/off/Pipeline%20Report.pdf>

Council of State Governments Justice Center | 4

2011 - Breaking Schools’ Rules

Council of State Governments Justice Center

Tony Fabelo, Ph.D.
Michael Thompson
Martha Plotkin, J.D.

Texas A & M University, Public Policy Research Institute

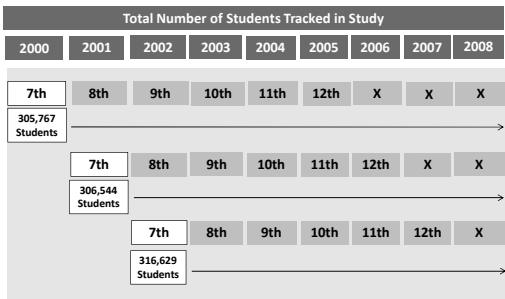
Dottie Carmichael, Ph.D.
Miner P. Marchbanks III, Ph.D.
Eric A. Booth, M.A.



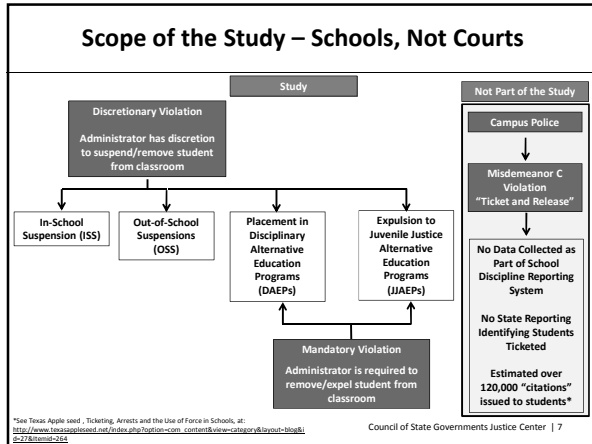
Breaking Schools' Rules, CSG Justice Center
<http://www.pewstates.org/research/reports/bending-the-curve-juvenile-corrections-reform-in-texas-85894808477p-1>

Council of State Governments Justice Center | 5

Not a Sample - 928,000 Texas Students Over Time



Council of State Governments Justice Center | 6



Almost 2.2m/year Discipline Actions

Discipline Action	2011	
	Number of Actions	Number of Students
In-School Suspensions (ISS)	1,537,324	596,422
Out-of-School Suspensions (OSS)	529,699	265,543
Disciplinary Alternative Education Programs (DAEPs)	112,580	87,553
Juvenile Justice Alternative Education Programs (JJAEPs)	4,182	4,039
State Cumulative Year-End Enrollment		5,063,863

Source: Texas Education Agency, Counts of Students and Discipline Actions by Discipline Actions Groupings, November 4, 2010 report for FRSMS 2010-2011 Data

Council of State Governments Justice Center | 8

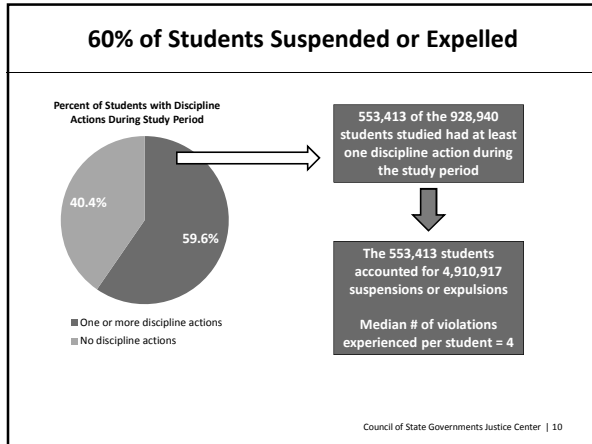
Overview – Part II

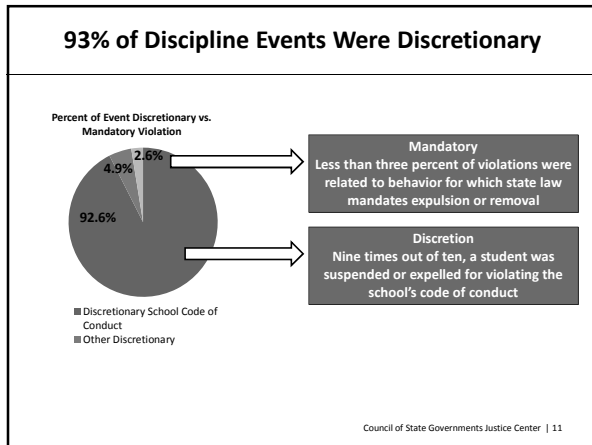
BSR Background and Methodology

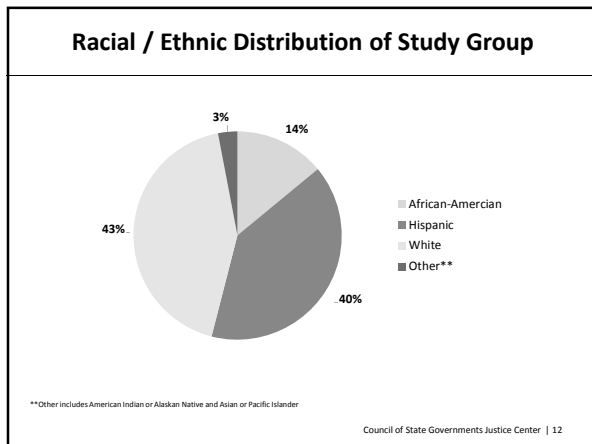
BSR Findings

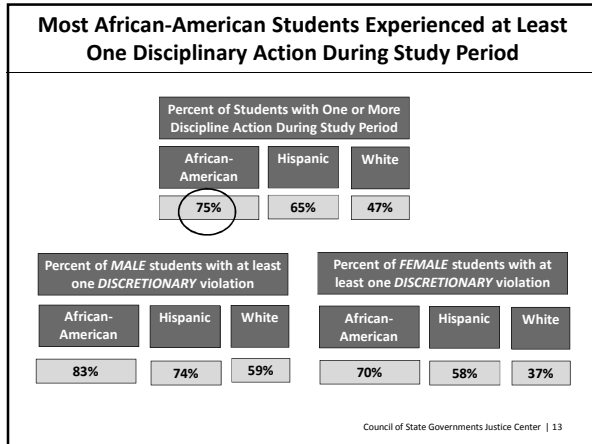
School Discipline Consensus Project

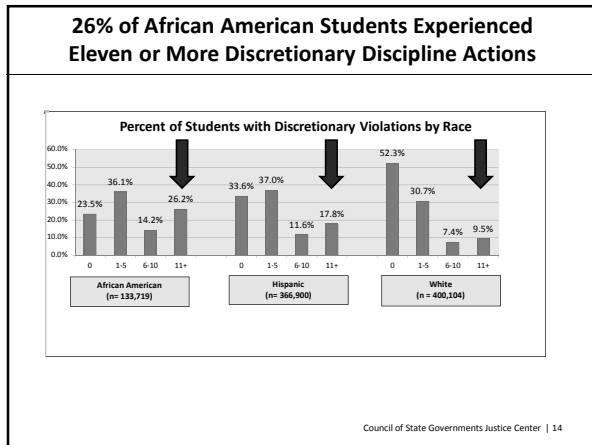
Council of State Governments Justice Center | 9

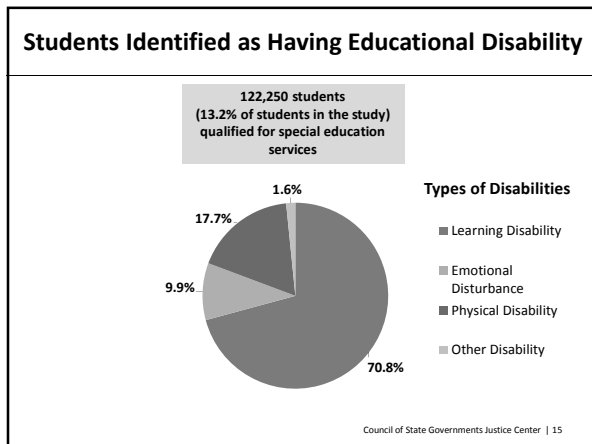


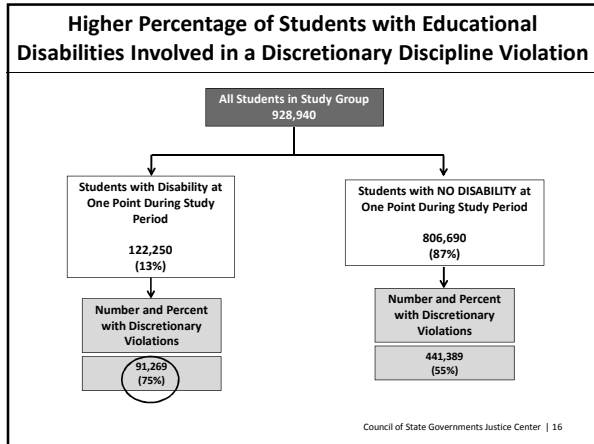


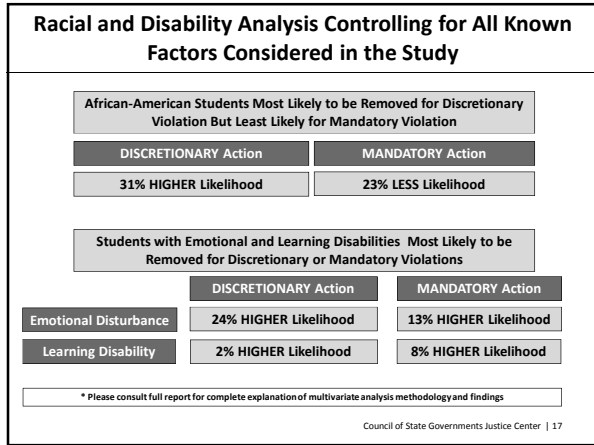


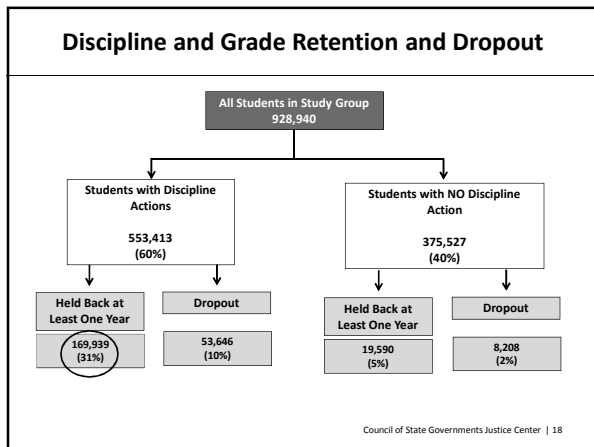


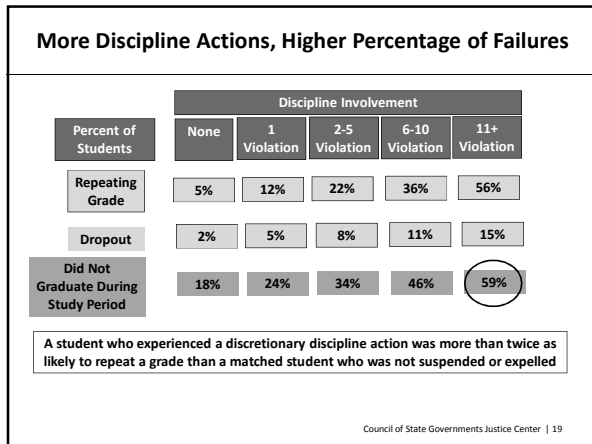


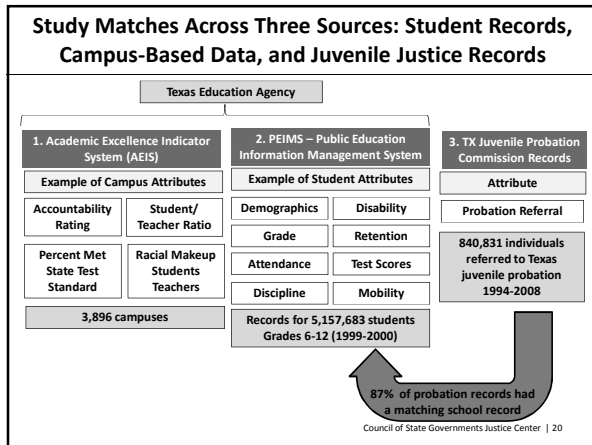


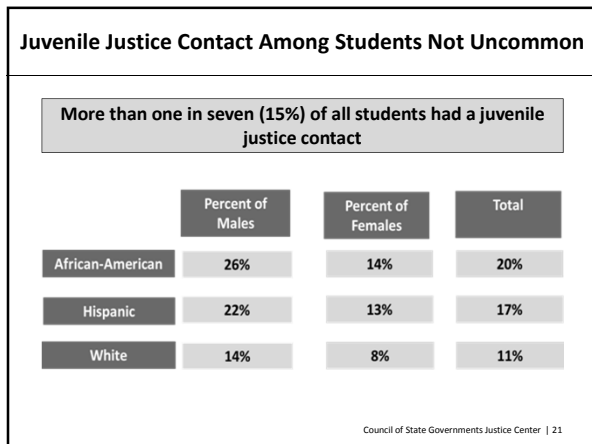


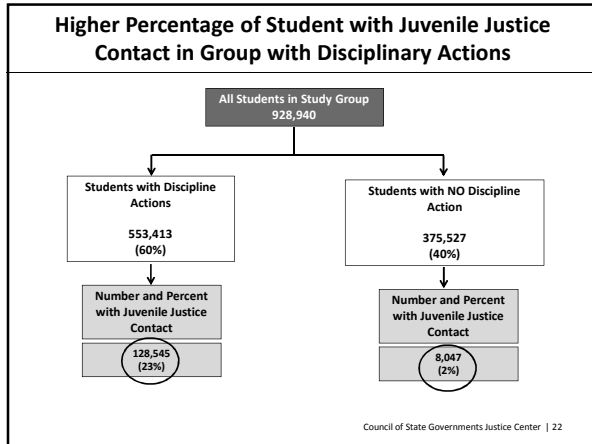


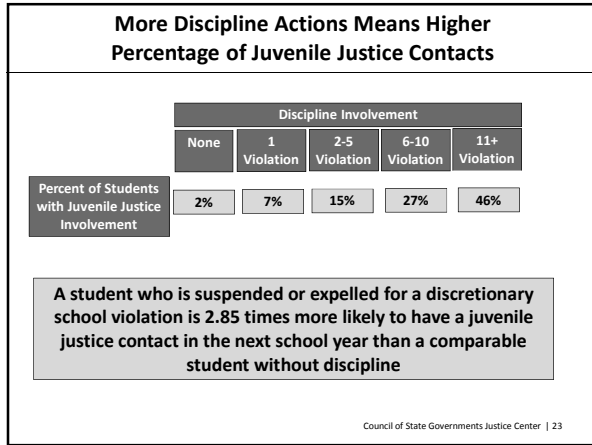


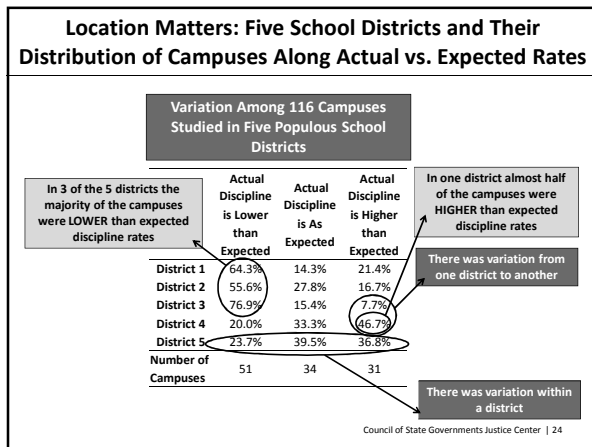













Recap of the Findings

- ✓ Formal disciplinary action, particularly suspension, is very common in middle and high schools.
- ✓ African-American students and students with particular educational disabilities are especially likely to experience discretionary discipline.
- ✓ Suspension / expulsion significantly increases the likelihood of the student repeating a grade, dropping out, or touching the juvenile justice system.
- ✓ Similar schools suspend and expel students at very different rates.

Council of State Governments Justice Center | 25

Overview – Part III




BSR Background and Methodology

BSR Findings

School Discipline Consensus Project

Council of State Governments Justice Center | 26

Report Generated Local, State, and National Conversations



Texas Supreme Court Chief, Wallace Jefferson
Committee on Juvenile Justice

Texas Senate and House Interim Committee Hearings
Texas Education Commissioner Priority


US Attorney General Holder and US Education Secretary Duncan

CSG Justice Center
National Consensus Project

Supportive School Discipline Initiative

Council of State Governments Justice Center | 27

18 Month National Consensus Project for Policies and Practices to Improve Outcomes

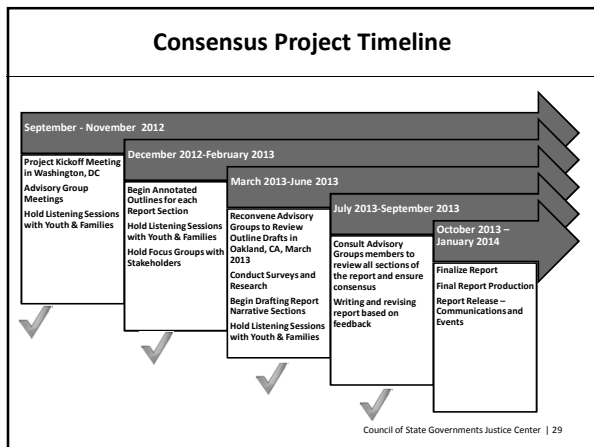


CSG Justice Center has successful history building consensus among leaders of multiple systems, in mental health & reentry

Funding by U.S. DOJ & DOE, Atlantic Philanthropies, The California Endowment, & the NoVo Foundation

Multidisciplinary “steering committee” plus four advisory groups of national leaders and experts to guide the process

Council of State Governments Justice Center | 28



Nationwide Need to Improve Data Collection of Basic School Discipline Key Indicators

School Discipline Data Reporting									
	Report # of Suspensions	Report # of Expulsions	Report # of Students Suspended	Report # of Students Expelled	Report by Offense	Report by Race or Ethnicity	Report by Gender	Report by Special Ed Status	Report by Grade Level
Number of States	32	29	22	21	32	17	19	16	20
% of States	63%	57%	43%	41%	63%	33%	37%	31%	39%

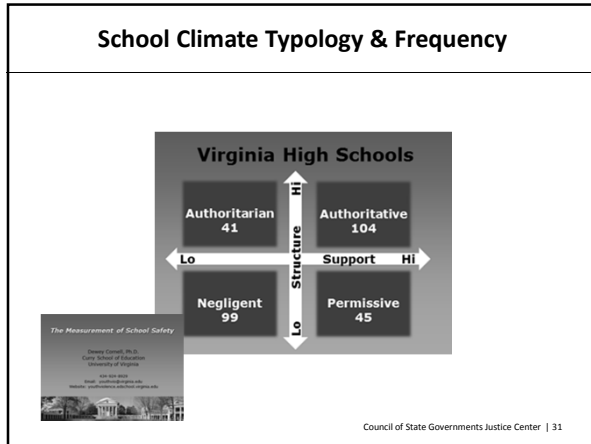
10 states (20%) report no school discipline data

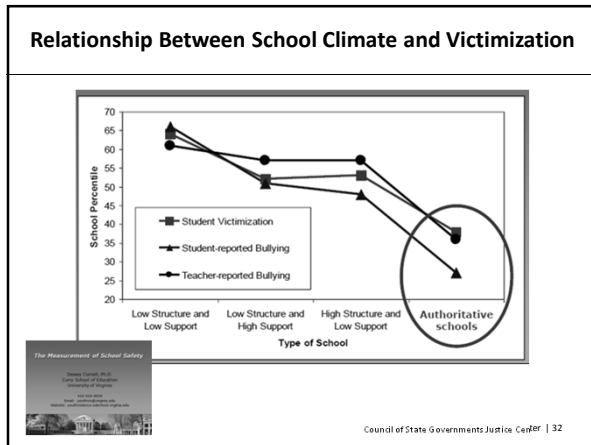
Michigan reports school and district level expulsion counts by offense type and length of removal

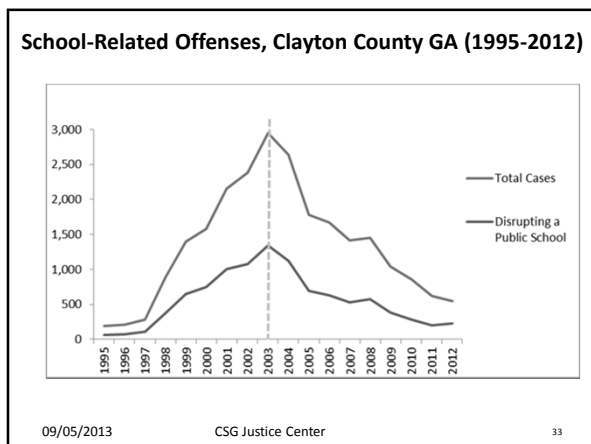
Michigan data are not disaggregated by race, gender, or special ed status in publically available reports

Michigan does not report results of an annual school climate survey


Survey by CSG Justice Center and UCLA Civil Rights Project surveying State Education Agencies website in Fall 2012. Council of State Governments Justice Center | 30









Texas Leaders Made This Issue a Priority




“We are criminalizing our children for nonviolent offenses. We must keep our children in school and out of our courts, to give them the opportunity to follow a path of success, not a path toward prison.”
-Chief Justice Wallace B. Jefferson



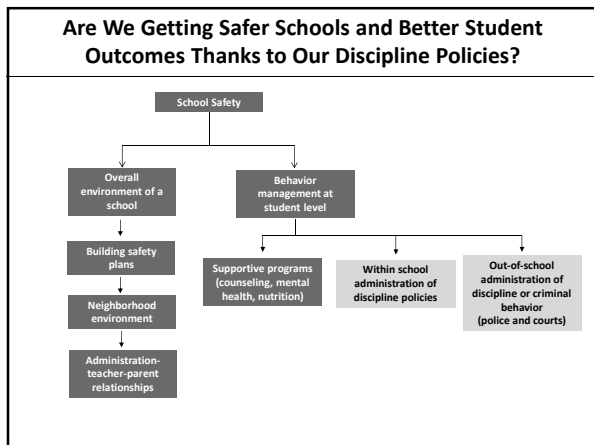
“If ticketing is not outlawed altogether in Texas schools, at a very minimum the Texas Penal Code should be amended this session to eliminate Disruption of Class and Disruption of Transportation as Class C misdemeanors.”
-Senator John Whitmire



“This troubles me.”
-Texas Education Agency Commissioner Michael Williams
Addressing 2,500 Texas school administrators on the volume of discretionary suspensions



Council of State Governments Justice Center | 34



Key Areas to Examine

✓ **Discretion**

Limit discretionary use of suspensions and expulsions on low-level, non-violent student offenses; reserve exclusion for most serious/dangerous offenses

✓ **School Climate**

Utilize school climate survey results more effectively to target professional development and critically evaluate disciplinary approaches, instruction, student support, and safety procedures

Council of State Governments Justice Center | 36

Key Areas (continued)

✓ **Disproportionality**
 Create reporting systems to monitor racial and special education overrepresentation in discipline violations and institute measures to reduce disproportionality

✓ **Behavioral Management**
 Provide funding for programs and practices that have shown promise in improving school climate and decreasing suspensions and expulsions (e.g., PBIS)


Council of State Governments Justice Center | 37

Improvements in Data Collection and Reporting Are Critical

✓ **Data Reporting**
 Basic discipline data need to be collected to:

- Define the scope of the problem
- Highlight and address disproportionate impact by race, gender, and special ed status
- Create evaluation measures for school discipline systems

Council of State Governments Justice Center | 38



Thank You

Report at:
www.justicecenter.csg.org
creynolds@csg.org or 512.480.3112

JUSTICE CENTER
 THE COUNCIL OF STATE GOVERNMENTS

The presentation was developed by members of the Council of State Governments Justice Center staff. The statements made reflect the views of the authors, and should not be considered the official position of the Justice Center, the members of the Council of State Governments, or the funding agency supporting the work. Citations available for statistics presented in preceding slides available on CSG Justice Center web site.

Council of State Governments Justice Center | 39
