

EXCLUSIONARY DISCIPLINE

# Racial Disparities in the Equality State





*Schools should be a safe space where every student enjoys an equal opportunity to grow and learn, but that's not the case for all children. While good discipline and order are necessary to facilitate growth and learning, exclusionary discipline practices negatively impact students, families, and communities in Wyoming.*

Furthermore, research shows that children of color receive harsher discipline than their White peers for the same behaviors. We need to make common sense adjustments to current school discipline policies in the Equality State so we improve the educational and long-term outcomes for all our children.

Biennially, since 2011-2012, the Office of Civil Rights (OCR), a sub-agency of the U.S. Department of Education (DOE), has collected information from all public K-12 schools in the country on “access to educational opportunity.” DOE and the OCR rely on this information

to be sure public schools do not discriminate against students – intentionally or not – based on race, color, national origin, sex, or disability status.<sup>1</sup> This information includes data on school disciplinary actions including in- and out-of-school suspensions and the number of school days missed because of suspension.

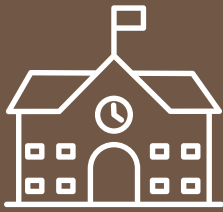
## The Impact of Exclusionary Discipline

When schools rely on suspension or expulsion to discipline students, it can create more problems. Students who miss lessons can feel frustrated and further disengage from school, peers, and teachers. Additionally,

- Both in- and out-of-school suspensions are associated with increased grade retention (having to repeat a grade).<sup>2</sup>
- Students who experience even one in-school suspension are more likely to drop out of school than students who have not.<sup>3</sup>
- Out-of-school suspensions are associated with lower academic achievement.<sup>4</sup>

The Wyoming Department of Education (WDE) already knows of a solution that works: Positive Behavioral Interventions and Supports (PBIS) provides school districts with effective alternatives to the current methods of discipline.

# What is Exclusionary Discipline?



*Exclusionary discipline removes students from their typical education setting.<sup>5</sup>*

..... Two categories .....

## IN-SCHOOL SUSPENSION



Removed from class and remain under direct supervision.<sup>6</sup>

## OUT-OF-SCHOOL SUSPENSION



Removed from school and sent home or to another facility with or without educational tutoring.<sup>7</sup>

How teachers and principals select disciplinary actions isn't always straightforward and can vary from school to school. There are two types of rule violations in school that apply to students.

## SUBJECTIVE VIOLATIONS



Subjective violations rely on teachers and principals to assess the seriousness of the issue and the disciplinary action necessary.<sup>8</sup>

## OBJECTIVE VIOLATIONS

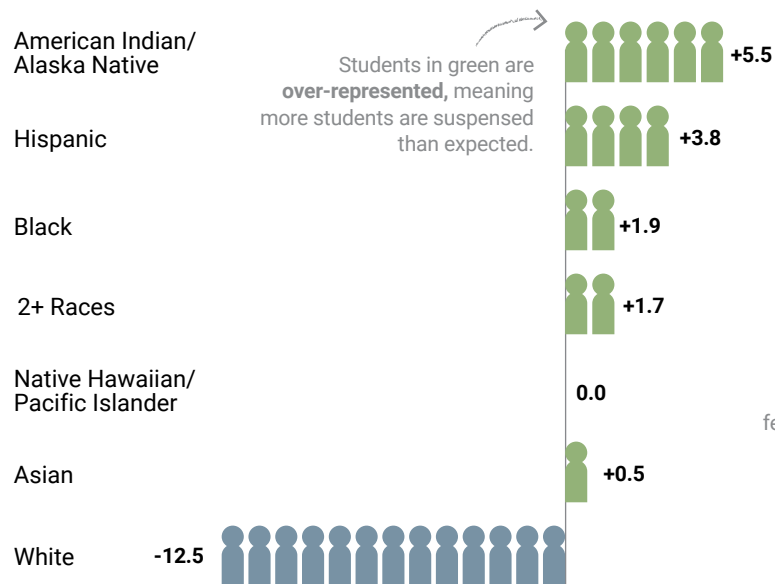


Some violations are considered objective, like bringing guns to school or smoking on campus. Discipline for these violations are rule-based.<sup>9</sup>

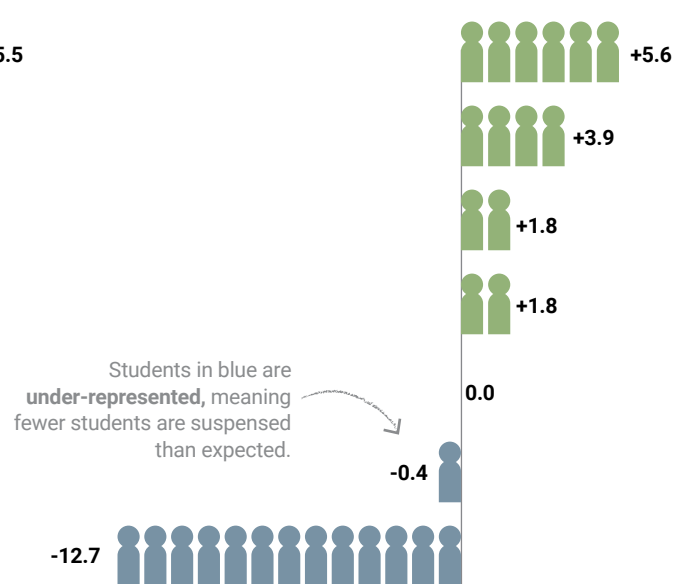
## Disproportionate Suspensions Highest among Native & Hispanic Students in Wyoming

Percentage point difference between rate of enrollment and percent of all suspensions, female and male students

### FEMALE STUDENTS



### MALE STUDENTS



Source: Civil Rights data collection

PBIS offers a multi-tiered approach for implementing social/emotional behavioral interventions that result in positive outcomes for youth. In Wyoming, “local control” determines whether a school adopts alternative discipline approaches. Find more information about PBIS on the WDE website: <http://bit.ly/wde-pbis>

## Disparities in Administration of Exclusionary Discipline

Differences in a school’s use of disciplinary actions based on a student’s race or ethnicity were found statewide. Students are disciplined in school in two ways, and the difference between the two is important.

**Subjective Discipline:** Disciplinary actions taken when adults use their own judgment to determine whether a child’s behavior is disruptive enough to warrant suspension.

**Objective Discipline:** Disciplinary actions that do not involve adult judgment; they are required by school

or district policy for clear-cut rule violations such as vandalism, drug possession, or fighting.

More frequently students are disciplined for subjective rule violations.<sup>10</sup> Fewer racial disparities arise, however, when students are disciplined for objective rule violations.<sup>11</sup> Compared to White students, children in ethnic and racial minorities (except for Asian and Native Hawaiian/Pacific Islanders) are disciplined disproportionately in schools.<sup>12</sup> This discrepancy is a direct result of implicit bias.

## Implicit Bias

Implicit biases are unconscious and unintentional assumptions about a person or group of people based on that person’s or group’s gender, age, race, ethnicity, or disability status. Even people who are fair and open-minded can hold implicit biases. These biases are often created by early childhood experiences through things like the media and even jokes. They cause people to subconsciously create associations that are not true (e.g. girls don’t like science).





In fact, a study by the Pew Research Center in 2015 found that three-quarters of American adults demonstrated some type of implicit bias. That's higher than the percentage of people who say they brush their teeth twice a day!<sup>13</sup>

Educators are just as likely as the rest of us to carry implicit bias into the workplace. Acknowledging implicit biases is important. When school districts acknowledge these biases, they are more likely to help teachers and the school community become aware of them and thus reduce the use of subjective disciplinary practices.

## Using Data to Identify Challenges

Even with all we know about the role implicit bias and the disproportionate use of in- and out-of-school suspensions, more accurate data could help identify specific biases and guide solutions to help us treat all children fairly. *School Discipline Data Indicators: A Guide for School Districts* (2017) provides guidance on where to locate discipline data for your school, district, or state, as well as how to select and analyze relevant indicators. This resource guide asks specific questions of school administrators to help them identify disparities in their own schools and districts:

- Is the problem school wide or isolated to a few settings or problem areas?
- Why do students engage in behaviors for which students receive suspensions?

- What types of situations lead to exclusionary discipline?
- What factors might reduce the quality of teacher-student relationships?
- What disciplinary practices are being implemented well? Which ones need improvement?
- Why do we believe exclusionary discipline works?<sup>14</sup>

## Action Steps

Learn about your school's in- and out-of-school suspension rates and then ask your school these questions to help all children in your school and school district succeed. Talk to your local school administrators about PBIS and why it's a better choice for Wyoming's kids.

## Tackling Implicit Bias

**Check yourself.** Do you, like most Americans, hold some unconscious and unintentional biases? You can find out by taking the Implicit Association Test (IAT). The IAT is NOT a racism test! The IAT is part of Project Implicit and measures hidden bias. More than 20 million people have taken the IAT. It is free and available online: [bit.ly/implicit-bias-quiz](https://bit.ly/implicit-bias-quiz).<sup>15</sup>

## Endnotes

- 1 Civil Rights Data Collection (CRDC): Frequently Asked Questions, n.d.
- 2 Marchbanks et al., 2015
- 3 Cholewa, Hull, Babcock, & Smith, 2018; Marchbanks et al., 2015
- 4 Hwang, 2018; Noltemeyer, Ward, & Mcloughlin, 2015
- 5 Exclusionary discipline is defined as "suspension, expulsion, and other disciplinary actions leading to a student's removal from the typical education setting." Noltemeyer & Mcloughlin, 2010, p. 27
- 6 In-school suspensions is defined as "an instance in which a child is temporarily removed from his/her regular classroom(s) for at least half a day for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision." CRDC, n.d., p. 12
- 7 Out-of-school suspension is defined as "an instance in which a child is temporarily removed from his/her regular school for at least half a day (but less than the remainder of the school year) for disciplinary purposes to another setting (e.g., home, behavior center). Out-of-school suspensions include removals in which no educational services are provided and removals in which educational services are provided (e.g., school-provided at home instruction or tutoring)." CRDC, n.d., p. 16
- 8 Subjective rule violations are rule violations where the referring adult relies on their own feelings, personal experiences, and judgements to determine the seriousness of the violation and the need for disciplinary action (e.g., willful disobedience, use of profanity or obscene language, disruptions, etc.). Forsyth, Biggar, Forsyth, & Howat, 2014
- 9 Objective rule violations are violations of codified rules that do not require subjective interpretation (e.g., possession of tobacco or alcohol, vandalism, possession of a weapon, etc.). Forsyth, Biggar, Forsyth, & Howat, 2014
- 10 Forsyth, Biggar, Forsyth, & Howat, 2014; Gion, McIntosh, & Smolkowski, 2018; Morris & Perry, 2017
- 11 Girvan, Gion, McIntosh, & Smolkowski, 2017
- 12 U.S. Government Accountability Office [GAO], 2018
- 13 Pew Research Center, 2015
- 14 Nishioka, Shigeoka, & Lolich, 2017
- 15 Greenwald, Banaji, & Nosek, 1998

## References

- Cholewa, B., Hull, M.F., Babcock, C.R., & Smith, A.D. (2018). Predictors and academic outcomes associated with in-school suspension. *School Psychology Quarterly*, 33(2), 191-199. <http://dx.doi.org/10.1037/spq0000213>
- Civil Rights Data Collection. (n.d.) Master list of 2015-2016 CRDC Definitions. Retrieved from <https://ocrdata.ed.gov/Downloads/Master-List-of-CRDC-Definitions.pdf>
- Forsyth, C.J., Biggar, R.W., Forsyth, Y.A., & Howat, H. (2014). The punishment gap: Racial/ethnic comparisons in school infractions by objective and subjective definitions. *Deviant Behavior*, 36(4), 276-287. <https://doi.org/10.1080/01639625.2014.935623>
- Gion, C., McIntosh, K., & Smolkowski, K. (2018). Examination of American Indian/Alaska Native school discipline disproportionately using the Vulnerable Decision Points approach. *Behavioral Disorders*, 44(1), 40-52. DOI: 10.1177/0198742918773438
- Girvan, E.J., Gion, C., McIntosh, K., & Smolkowski, K. (2017). The relative contribution of subjective office referrals to racial disproportionality in school discipline. *School Psychology*, 32(3), 392-404. <http://dx.doi.org/10.1037/spq0000178>
- Greenwald, T., Banaji, M., & Nosek, B. (1998). Project Implicit. <https://implicit.harvard.edu/implicit/aboutus.html>
- Hwang, N. (2018). Suspensions and achievement: Varying links by type, frequency, and subgroup. *Educational Researcher*, 46(6), 363-374, <https://doi.org/10.3102/0013189X18779579>
- Marchbanks, M.P., Blake, J.J., Booth, E.A., Charmichael, D., Seibert, A.L., & Fabelo, T. (2015). The economics of exclusionary discipline on grade retention and high school dropout. In Losen, D.L. (Ed.). *Closing the school discipline gap: Equitable remedies for excessive exclusion* (pp. 59-74). New York, NY: Teachers College Press.
- Morin, R. (2015). Exploring racial bias among biracial and single-race adults: The IAT. Pew Research Center.
- Morris, E.W. & Perry, B.L. (2017). Girls behaving badly? Race, gender, and subjective evaluation in the discipline of African American girls. *Sociology of Education*, 90(2), 127-148. DOI: 10.1177/0038040717694876
- Nishioka, V., Shigeoka, S., & Lolich, E. (2017). School discipline data indicators: A guide for districts and school. *Applied Research Methods*. Retrieved from: <https://files.eric.ed.gov/fulltext/ED573680.pdf>
- Noltemeyer, A. & Mcloughlin, C.S. (2010) Patterns of exclusionary discipline by school typology, ethnicity, and their interaction. *Perspectives on Urban Education*, 7(1), 24-40
- Noltemeyer, A., Ward, N.M., & Mcloughlin, C. (2015). Relationships between school suspension and student outcomes: A meta-analysis. *School Psychology Review*, 44(2), 224-240. <https://doi.org/10.17105/spr-14-0008.1>
- U.S. Government Accountability Office. (2018). *K-12 Education: Discipline Disparities for Black Students, Boys, and Students with Disabilities*. (GAO Publication No. GAO-18-258).

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