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PUTTING KIDS OUT OF SCHOOL:
WHAT'S CAUSING HIGH SUSPENSION RATES
AND WHY THEY ARE DETRIMENTAL TO
STUDENTS, SCHOOLS, AND COMMUNITIES

JANE SUNDIUS & MOLLY FARNETH / SEPTEMBER 2008



POLICY PAPER #2

IN OSI-BALTIMORE'S STUDENT ATTENDANCE SERIES



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OUT-OF-SCHOOL SUSPENSION AND EXPULSION ARE TWO OF THE MOST SEVERE DISCIPLINARY CONSEQUENCES FOR STUDENT MISBEHAVIOR.

In cases of violent or dangerous behavior, suspending or expelling a student may be required by law or necessary for the safety of other students and school staff. Across the nation, “zero-tolerance” discipline policies arose in the late 1980s in response to rising juvenile crime rates, and gathered momentum after violent tragedies such as the 1999 Columbine High School shootings. These policies have made suspension and expulsion commonplace - not only for the small number of serious threats to school safety, but also for the much larger number of nonviolent student misbehavior.

This paper demonstrates how the widespread use of exclusionary school discipline practices, specifically suspension and expulsion, adversely affects children and youth. Youth who are suspended or expelled are at far greater risk of academic failure, school drop-out, and incarceration; there is also growing evidence that suspension has negative effects on students’ mental health and physical well-being. In addition to the harm caused by extensive use of suspension, data consistently indicate that disciplinary exclusion policies are used inequitably: males, African Americans, and students with disabilities are suspended at much higher rates than other students. Moreover, suspension is used inconsistently as a disciplinary consequence; a review of data shows wide variability across school districts, schools within each district, and classrooms within schools - even when student characteristics are similar.

Using Baltimore, Maryland as an example of how disciplinary exclusion policies are administered in school districts nationwide, this paper will begin with an overview of the types of policies affecting rates of suspension and expulsion. It will then review current data to describe who is being suspended and what the harmful effects of widespread disciplinary exclusion are for young people.



01. POLICIES AFFECTING SUSPENSION RATES

Zero tolerance discipline policies originated as a federal response to students with guns; in fact, the only federal law mandating specific disciplinary consequences for student misbehavior is the Gun-Free Schools Act.

Under this legislation, local educational agencies that receive federal funding are required to expel any student who either brings a firearm to school or possesses a firearm at school. The expulsion must last for a period of not less than one year, although the Act allows the chief administering officer of the local educational agency to adjust the penalty on a case-by-case basis.¹ State law in Maryland mirrors this provision of the Gun-Free Schools Act, although some individual school districts, such as the Baltimore City Public School System (BCPSS), have expanded the law to require expulsion for possession of any weapon and many potential weapons. In Maryland, gun and weapon offenses are relatively few in number. During the 2006-2007 school year, for example, only 1.9 percent of out-of-school suspensions in Maryland were administered for possession of any weapon.² An even smaller percentage - just 0.02 percent - was for firearms.³

Maryland state and local boards of education have great discretion in crafting other elements of disciplinary codes for Maryland public schools, and the resulting codes are often too vague to provide much guidance to school administrators. As is clear from data on suspension, the result of vague disciplinary codes and broad principal authority has been to make out-of-school suspension a common experience for a growing number of Maryland's youth.

The increasing use of suspension and expulsion intersects with education's accountability movement. The Unsafe School Choice Option of the federal No Child Left Behind Act mandates that students attending "persistently dangerous" schools be allowed to transfer to a safe public school, although each state devises its own policy for identifying "persistently dangerous" schools.⁴ Maryland has one of the strictest definitions, which requires a school to be labeled persistently dangerous if 2.5 percent of its student body is suspended for arson, possession of a weapon or drugs, assault on a student or school employee, or sexual assault over a period of three consecutive years.⁵ As a result of its strict policy, Maryland was one of only seven states in 2007 with "persistently dangerous" schools, including five Baltimore City middle and high schools.⁶

The effect of this policy on rates of suspension and expulsion is unknown and likely complex. In order to remove its "persistently dangerous" label, the school must reduce its suspension and expulsion rates. Some contend that this policy may have the effect of redirecting the focus of dangerous schools towards improving school climate and preventing serious behavioral problems through alternatives to suspension and expulsion. However, some teachers and staff at schools designated persistently dangerous have stated that principals are reluctant to administer suspensions for serious offenses, thereby understating violence and making these schools even more dangerous.⁷

02. SUSPENSIONS SUBJECT TO BIAS AND INCONSISTENCY

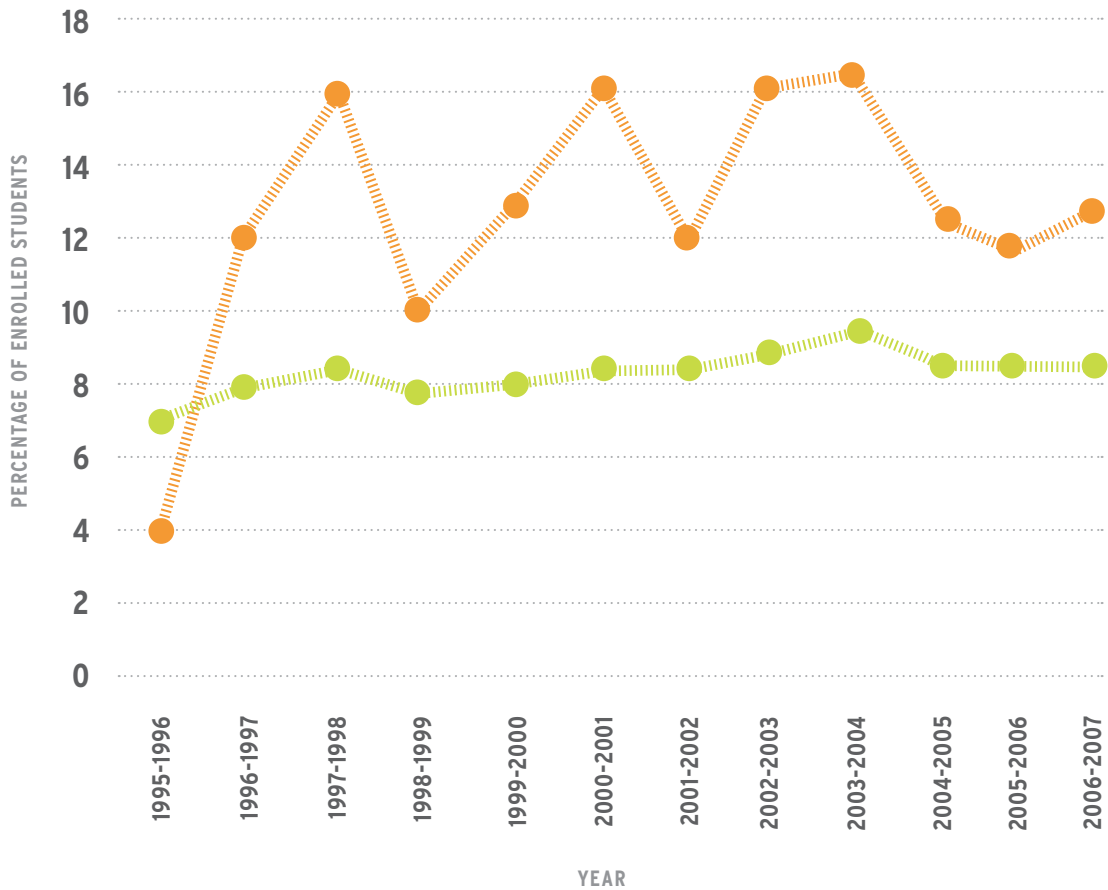
The vague guidelines that disciplinary codes provide and the substantial freedom given to individual schools to interpret and apply these codes have contributed to overuse, bias, and inconsistency in the application of disciplinary exclusion policies.

In Maryland in 2006-2007, 74,594 individual students were suspended, for a total of 131,629 out-of-school suspensions in Maryland.⁸ This paper frequently refers to the **suspension rate**, which is calculated by dividing the number of students who have received one or more out-of-school suspensions by the total number of enrolled students (as determined by the yearly enrollment count). Following national trends, the suspension rates at Maryland public schools have gradually increased in recent years, from 7.1 percent of students in the 1995-1996 school year to 9.0 percent in 2006-2007.⁹



FIGURE 1: STUDENTS SUSPENDED FROM PUBLIC SCHOOLS*

*UNDUPLICATED COUNT OF THE NUMBER OF STUDENTS SUSPENDED DIVIDED BY ENROLLMENT



Out-of-school suspensions are given to students of all ages: suspension rates are lowest in elementary school, increase and peak in middle school, and drop slightly in high school.¹⁰ Nevertheless, 10,197 of the students suspended in Maryland in 2006-2007 were elementary school students, including 784 kindergarteners.¹¹ Shockingly, disciplinary exclusions are even used at the preschool level, with 77 public school prekindergarteners suspended during the 2006-2007 school year in Maryland.^{12,13} In a national study of state-funded prekindergarten classes, Gilliam found that the expulsion rate for prekindergarteners is more than three times higher than the rate for K-12 students.¹⁴ Gilliam also found that boys are expelled at four times the rate of girls, and African American prekindergarteners are about twice as likely to be expelled as white prekindergarteners.

► **Suspensions are given more often to African Americans, Males, & Students with Disabilities**

African American students are suspended and expelled at two to three times the rate of white students, even when controlling for socioeconomic status.¹⁵ These racial disparities in the administration of school discipline have been documented consistently throughout several decades of research.¹⁶ In 1997, the US Department of Education published its findings that nearly 25 percent of all African American male



students were suspended at least once over a four-year period.¹⁷ Furthermore, overrepresentation of African American students in the administration of suspension and expulsion increases as those punishments are used more frequently.¹⁸ This trend persists despite the lack of evidence that African American students engage in higher levels of disruptive behavior than other students.¹⁹ Skiba et. al. found that African American students are far more likely than their white classmates to be punished for reasons that require the judgment of a teacher or administrator.²⁰ This type of offense includes disrespect, excessive noise, and loitering, as opposed to more concrete infractions such as smoking, leaving without permission, and vandalism (three offenses for which white students are more likely to be disciplined).²¹

Suspension data in Maryland illustrate this racial disparity in the administration of suspensions and expulsions. In the 2006-2007 school year, 61 percent of all suspended students were African American, even though African Americans comprise only 38 percent of Maryland's student body. Meanwhile, white students accounted for 31 percent of those suspended but comprise 48 percent of Maryland's student body.²²

There is also consistent evidence that males receive many more suspensions than do females. In the 2006-2007 school year, 68 percent of suspended students in Maryland were male, while just 32 percent were female.²³ This gender effect is compounded by the effect of race. One study found a consistent ranking in the probability of suspension in junior and senior high school: black males were most likely to be suspended, followed by white males, black females, and - least likely to be suspended - white females.²⁴

Students with disabilities also receive a disproportionate share of suspensions and expulsions. Students with Attention Deficit Hyperactivity Disorder (ADHD), for instance, are 3.5 to 7 times more likely to be suspended or expelled, even when controlling for gender, race, and health insurance status.²⁵ Reviewing results from several studies, Leone reported that students with disabilities comprise about 11 percent of all school-age children in the US but make up almost 20 percent of those who are suspended.²⁶ Again, the suspension data from Maryland mirror this national data: in the 2006-2007 school year, students with disabilities comprised 12.5 percent of the total student enrollment, but made up 20 percent of all students suspended.²⁷ In Baltimore, students with disabilities comprised 16.9 percent of the BCPSS student population, while accounting for 25.7 percent of students suspended.²⁸

These higher rates of disciplinary exclusion for students with disabilities continue in spite of the protections provided by the Individuals with Disabilities in Education Act (IDEA). The 1997 amendments to IDEA, and its reauthorization as the Individuals with Disabilities in Education Improvement Act (IDEIA) in 2004, mandate detailed procedures that schools must follow in order to determine whether or not a student with disabilities may be suspended. While these procedures do not prohibit disciplinary exclusion, they are intended to protect students with disabilities from being punished for behaviors that are the result of their disability.²⁹ In practice, however, schools seldom classify the misbehavior of students as manifestations of disability and grant them IDEA/IDEIA protections.³⁰

► **Suspension rates vary widely by District, School and Teacher**

The overall upward trend in suspension rates conceals the tremendous variability in suspension rates across school districts, schools within a district, and classrooms within schools.

A. Variation across school districts

At the district level, for instance, out-of-school suspension rates in Maryland for the 2006-2007 school year ranged from a low of 4.0 percent in the Howard County Public Schools to a high of 17.2 percent in the Somerset County Public Schools.³¹ The suspension rate for the Baltimore City Public School System was 12.5 percent.³²



B. Variation among schools within school districts

Variation in suspension rates among individual schools within a district can be even greater. During the 2006-2007 school year, for instance, two large, comprehensive BCPSS high schools with similar demographics - Frederick Douglass High School and Patterson High School - administered short-term out-of-school suspensions at the divergent rates of 7.2 percent and 27.5 percent, respectively.³³ One study found that schools in the top ten percent of out-of-school suspension use accounted for more than half of all suspensions.³⁴ Schools with higher percentages of students living in poverty tend to have higher suspension rates, although not all high poverty schools have high suspension rates.³⁵ High poverty schools maintain low rates of suspension when they adopt a proactive approach to improving school climate and behavior management, as evidenced by programs that teach and reward appropriate student behavior, train teachers in classroom management and conflict resolution, encourage parental involvement, etc.³⁶

Variation in suspension rates among schools is due as much to the characteristics of the school and behavior of school personnel as to the behavior of students; schools with high suspension rates typically have high student-teacher ratios, low academic quality ratings, administrative indifference to school climate, reactive disciplinary programs, and ineffective school governance.³⁷ In fact, the presence or absence of these school characteristics, along with the specific student demographic characteristics outlined above (i.e., race and gender), make a more significant contribution to predicting suspension than student behavior itself.³⁸

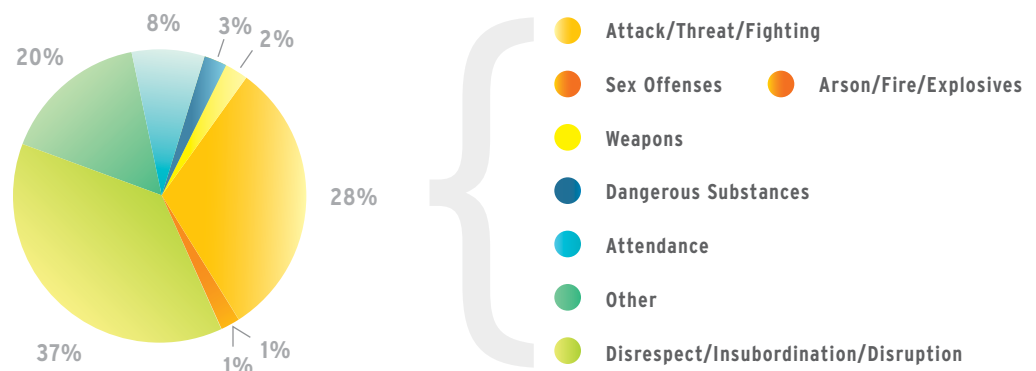
C. Variation among teachers within schools

Just as a school's characteristics can influence its suspension rate, an individual teacher's use of disciplinary exclusion as a classroom management tool can also substantially affect a school's suspension rate. For instance, Skiba described one middle school in which 25 percent of teachers were responsible for 66 percent of office referrals.³⁹ In a study of prekindergarten suspension and expulsion, Gilliam and Shahar found that the percentage of teachers expelling at least one child in the past year was four times higher when job stress and/or class size were high, in comparison to when these variables were lower.⁴⁰

► **Suspension is most often used for non-violent student misbehavior**

The inconsistency of Maryland's suspension policies and practices in its various districts, schools, and classrooms is compounded by the increasing use of suspension for misbehavior that falls under broadly and difficult to clearly define categories. Many of these suspensions were given for the kinds of inappropriate or immature behavior that used to be labeled naughty, mischievous, or prankish and resulted in detention, school clean-up, or other similar consequences. But that has changed. Last year, for example, more suspensions were issued for truancy and tardiness than for dangerous substances, weapons, arson/fire/explosives, and sex offenses combined. An even greater number of suspensions were given for disrespectful and disruptive behavior - which can have serious, negative effects on school climate and teachers' ability to teach - but which previously were unlikely to result in a suspension.

FIGURE 2: ►
SUSPENSION BY MAJOR CATEGORY
MARYLAND PUBLIC SCHOOLS, 2006-2007





Suspensions for non-violent misbehaviors are not only numerous, but they are also more likely to reflect the judgment of the teacher or administrator - which makes them particularly susceptible to discriminatory application. As discussed above, studies have shown that African American students are disproportionately punished for reasons that require the judgment of the teacher (e.g. disrespect, excessive noise, and loitering). Skiba et. al. also report that much of the racial disparity in disciplinary action originates at the classroom level, where teachers refer African American students to the office at much higher rates than white students.⁴¹

These trends mean that reducing the use of disciplinary exclusion requires changes at the district, school, and classroom level. In addition to the adoption of more appropriate and less exclusionary discipline codes, teachers and other school employees must be trained to use other, less punitive methods and to employ them consistently. Teachers, in particular, require additional support and training in implementing effective and culturally competent methods of classroom management in order to reduce biases in the administration of suspension and expulsion.

03. SUSPENSION CREATES POOR OUTCOMES FOR YOUTH

Far from acting as a deterrent for misbehavior, suspension and expulsion can actually reinforce negative behaviors. While suspended, students fall behind academically, engage in high risk behaviors, and face threats to mental health and physical safety.

In Maryland in 2006-2007, 74,594 individual students were suspended, for a total of 131,629 out-of school suspensions in Maryland. This paper frequently refers to the **suspension rate**, which is calculated by dividing the number of students who have received one or more out-of-school suspensions by the total number of enrolled students (as determined by the annual enrollment counts). Following national trends, the suspension rates of Maryland public schools have gradually increased in recent years, from 7.1 percent of students in the 1995-1996 school year to 9.0 percent in 2006-2007.

► **Suspension can increase student misbehavior.**

Disciplinary exclusion policies are based on the belief that removing misbehaving students from school will punish the “bad,” deter others from misbehavior, and create an improved learning environment for students who remain. However, disciplinary exclusions are generally ineffective in improving behavioral problems. Several researchers have found that the rate of “repeat offenders” - that is, students who are suspended on multiple occasions - ranges from 35 percent to 42 percent of all suspended students.⁴² In 2006-2007, 74,594 students accounted for the 131,629 out-of school suspensions in Maryland. Of these students, 28,431 - 38 percent - received multiple out-of-school suspensions during that school year, and 3,728 - five percent - received five or more.⁴³ This suggests that, for many students, suspension does not function as a deterrent. In fact, suspension may at times serve as an incentive for students who wish to avoid school or classroom instruction. Atkins et. al. looked at students’ responses to discipline in an inner-city public school, finding that, when suspensions were consistently used as punishment for one group of students, the overall number of such punishments for that group increased; by contrast, when suspension for a second group of students was no longer used as a behavioral consequence, the misbehavior of students in the second group decreased.⁴⁴

► **Suspension lowers academic achievement and increases a student's likelihood of dropping out.**

Numerous studies have found that suspension often contributes to a gradual process of academic and social disengagement that increases the probability of additional disciplinary exclusions,



academic failure, and, eventually, drop-out.⁴⁵ Costenbader and Markson found that secondary school students who had been suspended were more likely than their peers to report anger with and alienation from the school community.⁴⁶ In a longitudinal study of 30,000 high school students, Elkstron et. al. reported that sophomores who had been suspended dropped out of school at three times the rate of their classmates.⁴⁷ Furthermore, Balfanz and Boccanfuso found that students who received an out-of-school suspension in middle school were half as likely to graduate on time as students who did not.⁴⁸ This increased likelihood of academic failure and drop-out is partially attributable to the disruption in students' education during periods of disciplinary exclusion. Alternative educational services are rarely provided to students who are excluded from school. In Maryland, for instance, during the 2005-2006 school year, more than three-quarters of suspended students were not provided with alternative educational services, even though students are legally entitled to such services.⁴⁹

► **Suspension increases students' likelihood of juvenile justice involvement.**

The application of school discipline policies mirrors those of the juvenile justice system. Males, African Americans, and students with disabilities are more likely to be court-involved and detained. Noting this connection, many advocates, researchers, and educators have examined the laws, policies, and practices that gave rise to these trends and have made the case that America has created a school-to-prison pipeline.⁵⁰ In addition to higher drop-out rates, students who have been suspended are significantly more likely to become involved in the juvenile justice system than their peers.⁵¹ As the Task Force on the Education of Maryland's African American Males wrote in its December 2006 report, "There's considerable evidence that a history of school suspension does one of two things - either it puts a child on the path toward delinquency or accelerates his journey there. Suspension, then, is not only an ineffective deterrent for misbehavior, it's - at best - an accelerant and - at worst - a catalyst for it."⁵²

A study conducted by Skiba et. al. examined data from 37 states and found a strong relationship between rates of suspension and juvenile incarceration, as well as a correlation between racial disparities in school discipline and juvenile incarceration.⁵³ According to the Center for Disease Control, when students are removed from school, they become significantly more likely to engage in a variety of high-risk or illegal behaviors than students who are attending school.⁵⁴ These behaviors include: physical fighting; carrying a weapon; smoking; using alcohol, marijuana, and other drugs; and engaging in sexual intercourse.⁵⁵

► **Suspension and expulsion have mental health and physical safety risks.**

In a 2003 Policy Statement, the American Academy of Pediatrics (AAP) expressed grave concerns about the mental health impacts of suspension and expulsion on students.⁵⁶ According to the AAP, behavioral problems among school-age youth are associated with high rates of depression, drug addiction, and home-life stresses. For students with these mental health concerns, the AAP holds that suspension can increase stress and may predispose them to antisocial behavior and even suicidal ideation.⁵⁷ Despite the correlation between mental illness, home-life stresses, and school disciplinary problems, students are not routinely referred to mental health providers upon suspension or expulsion.⁵⁸ The AAP recommends a full social, medical, and mental health assessment by a pediatrician for students who have been suspended or expelled from school. Moreover, when students are disciplined for the use of alcohol, tobacco, or drugs, they recommend enrollment in an appropriate substance abuse treatment program.⁵⁹

Likewise, the American Psychological Association (APA), in its Zero Tolerance Task Force Report (2006), found little evidence that suspension and expulsion benefited students or their communities, and expressed concern that disciplinary exclusion policies could increase "student shame, alienation, rejection,



and breaking of healthy adult bonds,” thereby exacerbating negative mental health outcomes for young people.⁶⁰

Removing students from school through disciplinary exclusion also increases their risk of becoming a victim of violent crime. Violence in schools is decreasing, despite high profile incidents to the contrary, and schools continue to be the safest places for youth. According to data published by the US Departments of Justice and Education from the 2003-2004 school year, rates of serious violent crime against school-age youth, including rape, sexual assault, robbery, and aggravated assault, are more than twice as high outside of school as they are in school.⁶¹ Furthermore, during that time period only 1.3 percent of all homicides of school-age youth were committed in a school building, on school property, in a school bus, or on the way to or from school, while the remaining 98.7 percent were committed outside of school.⁶² For school-age youth, particularly those who live in neighborhoods with high rates of violent crime, school remains the safest place to be.

RECOMMENDATIONS AND CONCLUSION ►

An astonishing 74,518 Maryland students received out-of-school suspensions in 2006-2007, placing them at increased risk of academic failure, drop-out, and criminal justice involvement. This group of students was overwhelmingly male and comprised of a disproportionate number of special education students and students of color. This discriminatory and excessive application of disciplinary exclusion policies must end.

Because the negative consequences of out-of-school suspension and expulsion can seriously damage students' academic potential, school engagement, and emotional and physical wellbeing, school and school districts must be vigilant about reducing the use of disciplinary exclusion while improving school climate. Schools should focus on teaching, modeling, and rewarding students' positive behavior. Also, school districts should revise discipline codes to create meaningful consequences for student misbehavior, to require students to redress the harm of misbehavior, and ensure the equitable, appropriate, and limited use of suspension and expulsion.

The third and final paper in this series, *On the Path to Success: Every Child in School Every Day*, details these and other recommendations for policies and practices to boost school attendance, reduce suspension and expulsion, and ensure that all children are in an educational environment every day.



ENDNOTES ►

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