

# Frequently Asked Questions

## ***Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement***

### **1. What is new or different about this research study?**

The researchers did not rely on a *sample* of students, but instead examined individual school records *and* school campus data for *all* seventh-grade public school students in Texas for three graduating classes (nearly 1 million students). With a six-year analysis period, this is a statewide longitudinal study. The study group size and datasets (merging education and juvenile justice data) supported multivariate analyses—making it possible to isolate the impact of particular variables on the likelihood of students being suspended and expelled. It is unusual for a statewide study to be able to draw on individual student records and match them to individual-level juvenile justice records. The analysis also yielded new information about the wide variation in disciplinary rates among schools with comparable student populations and campus characteristics. By controlling for more than 80 independent factors, researchers could examine the relationship between disciplinary actions and specific academic performance or juvenile justice involvement.

### **2. What is meant by “school disciplinary action” in the study?**

This study focused on actions that resulted in students being removed from their classrooms: in-school suspensions (ranging from one class period to several consecutive days, with no cap on days per year); out-of-school suspensions (up to 3 days and no cap per year); and placement in Disciplinary Alternative Education Programs (DAEP average placement for students studied was 27 days) or Juvenile Justice Alternative Education Programs (JJAEP average placement was 73 days). Actions could be “mandatory” (required by state law) or “discretionary” (school officials have discretion in determining when and how students are disciplined). Approximately 97 percent of all disciplinary actions reported in the study were discretionary. Informal disciplinary actions (such as sending a student to the principal’s office or after-school detention) were not included in the study. Class C misdemeanor “tickets” issued by law enforcement to students for some violations were also excluded because these events were not captured in the state’s databases used for this study.

### **3. Why was Texas selected for the study, and are the findings a reflection of the state's tough-on-crime reputation?**

Texas maintains state-of-the-art information systems that could support the kinds of analyses needed for the study. The Texas Education Agency has comprehensive individual student records, which follow pupils when they switch public schools within the state, and rich data on individual school campuses. The Texas Juvenile Probation Commission also has individual electronic records for youth in contact with the juvenile justice system. Both agencies have demonstrated a willingness to support analysis of these large, complicated datasets to evaluate important policy questions. Texas also has the second largest U.S. public school system and a student diversity that gives the findings national significance. It has a bipartisan group of leaders willing to open state information systems and policies to scrutiny, to develop strategies for improving outcomes for all students.

What data are readily accessible from other states about suspension and expulsion demonstrate that Texas is hardly unusual in suspending and expelling large numbers of students. Yet considerable evidence exists that improving school discipline is a priority for state leaders in Texas. By making this study possible, policymakers demonstrated their continued reliance on data-driven approaches, to examine who is suspended and expelled and why. Policies already in place in Texas reflect policymakers' commitment to ensuring that students removed from the classroom for disciplinary reasons stay in school. Only about half of the states have an alternative education system for lengthy suspensions and expulsions, like the one Texas has.

### **4. What does this study say about “zero tolerance” policies and how they work?**

Although the study demonstrates that suspension, and to a lesser degree, expulsion, are relatively common practices in Texas middle and high schools, this report does not provide an evaluation of “zero tolerance” policies. None of the Texas study findings or conclusions make any statements about zero tolerance because policymakers and practitioners in the state do not uniformly and consistently use that term in reference to a particular set of policies, the vast majority of removals from school for disciplinary reasons were the result of *discretionary* decisions, and the use of this discretion varied significantly from one school to the next.

### **5. Are you saying that schools discipline too much and this causes juvenile justice involvement and bad academic outcomes?**

The research does not set a threshold at which disciplinary actions are considered “too high.” There are certainly valid and appropriate reasons for removing students from classrooms for disciplinary reasons, especially when their behavior jeopardizes the safety of other students or school employees. The Texas analysis revealed that, of the students studied, nearly 60 percent were removed from their classes, and 15 percent had 11 or more suspensions or expulsions between seventh and twelfth grade. What is clear from this study's focus-group participants and other practitioners consulted is that there should be better outcomes from disciplinary actions—fewer secondary students cycling through the disciplinary system and repeating grades, and more of them staying in school and out of the juvenile justice system.

The relationship between student misbehavior and the school response is complex. No study can account for every conceivable contributing factor that can affect students' academic failures and delinquency. The report does not say there is a direct causal relationship between school officials' suspending and expelling children and those children then repeating a grade, dropping out, or even getting involved in the criminal justice system. But because the multivariate analysis controlled for more than 80 variables to isolate the predictive effect of school disciplinary actions, it is fair to say that school discipline is highly related to these outcomes and strongly predicts these results.

**6. Does this study support the concept that there is a “pipeline” from schools to the state’s juvenile justice system?**

Of the nearly 1 million children studied, more than 15 percent had contact with the juvenile justice system in their middle and high school years. Yet relatively few of these contacts corresponded to misconduct at school. Texas Juvenile Probation Commission data from 2009–2010 show that, of the 85,548 formal referrals to juvenile probation in Texas, only about 6 percent came directly from schools.

Even if schools were not directly referring children to the juvenile system, the researchers used a multivariate analysis to determine whether school disciplinary actions could predict the likelihood of subsequent juvenile justice involvement. A student's discretionary suspension or expulsion nearly tripled (2.85 times) the likelihood of his or her juvenile justice contact within the subsequent academic year. The multivariate model controlling for all campus and student variables except disciplinary history demonstrated that a student with no prior school discipline involvement had a 5.5 percent chance of ultimately coming into contact with the juvenile justice system, while a student disciplined 11 or more times had a 17.3 percent chance.

While school officials do not fill a “pipeline” directly to the juvenile justice system, they are positioned to intervene at the school disciplinary stage with children at risk of juvenile justice involvement.<sup>1</sup>

**7. Because the study shows that African-American children and students with specific educational disabilities were especially likely to be removed from their classrooms for violations in which school officials can take discretionary action, does this mean that they are more likely to misbehave?**

The study demonstrates that African-American students were more likely than Hispanic or white students to be suspended or expelled for violating school rules when school officials had discretion as to how to respond. In contrast, white and Hispanic students were more likely to be suspended or expelled than African-American students for offenses in which state law *mandated* that school officials remove students from the classroom, such as bringing a firearm to campus or selling illegal drugs. The study also

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<sup>1</sup> It is important to note, however, that school police officers may make direct referrals to the juvenile justice system.

found that students with particular educational disabilities were disciplined at disproportionately high rates—especially those students coded as “emotionally disturbed.”

It is important to remember that formal disciplinary actions within the discretion of school officials are not an accurate measure of misbehavior. Some behaviors may be tolerated more than others, some administrators or teachers more accepting of disorder, and some school codes of conduct stricter than others. Just because some children are disciplined more than others does not mean they misbehave more.

**8. So does the study suggest that teachers or other school officials have too much discretion when responding to students’ misbehavior?**

It would be inaccurate to conclude from the study that teachers have too much discretion or use it improperly. Teachers face enormous challenges in the classroom. There was general agreement among experts, researchers, and practitioners consulted for this study that teachers and school officials must have the flexibility to respond to the distinct needs of students and to create a classroom environment conducive to learning. Consensus was also found around educators needing more tools and supports for responding to misbehavior and to the needs of students, which, left unaddressed, put them at risk for disciplinary action.

**9. Are expulsions or suspensions being made to raise school test scores and help meet “No Child Left Behind” expectations?**

When students are removed from their schools and placed in Disciplinary Alternative Education Programs or Juvenile Justice Alternative Education Programs, the schools from which they came are required to include the scores that these students receive on statewide standardized test reports to the Texas Education Agency for federal reporting purposes. This requirement ensures that local schools cannot raise test scores by reassigning a student to an alternative educational program.

**10. Can the results be generalized or the study replicated in other states?**

It is hoped that the results of this study, and the types of analyses used, will inspire other states to examine school discipline policies and practices in their jurisdictions. This study can help leaders in other jurisdictions think through an analysis of suspension and expulsion rates in their own schools. Because school discipline systems vary significantly from one state (and school district) to another, readers should not extrapolate from this report and assume these statistics can be applied to their own jurisdictions. To replicate the study, states may need to make considerable investments in their education and juvenile justice information systems and garner the type of bipartisan support found in Texas, for examining these issues closely.

### **11. Which schools studied have particularly high rates of school discipline and are they safer?**

Although this study reviewed discipline rates at individual schools, it masked the identity of each school to preserve anonymity. The report does not highlight the names of schools with suspension and expulsion rates that were unusually high or low because extensive visits would have been needed to explain the factors underlying these differences. Such visits were beyond the scope of this project.

Rates of suspension and/or expulsion at a particular school are not a particularly useful measure of safety. The vast majority of disciplinary removals from the classroom are for discretionary violations of local school codes of conduct, which are primarily lower-level violations. Further, in reviewing school discipline data at the state level, researchers could not rule out the possibility that fewer recorded disciplinary actions at a particular campus meant that educators there were either more tolerant of misbehavior or better able to mitigate misbehavior, by engaging students more effectively, for example.

### **12. What role does law enforcement assigned to schools have in school discipline rates and referrals to the juvenile justice system?**

As is the case with many public schools elsewhere, some form of local law enforcement frequently has a presence in Texas middle or high schools. Law enforcement officials assigned to a Texas campus who observe a student violating school rules (or who learn of such behavior) may send the student to the designated administrator. Alternatively, officials may pursue a criminal justice response by issuing tickets to students for behavior that can be punished as a Class C misdemeanor violation. The number of Class C misdemeanor tickets issued annually, and the extent to which students are disciplined pursuant to a school's code of conduct, were not readily available because information about the tickets is not captured in a student's record within the education database used for this study. This report does not include any findings regarding the relationship between local law enforcement in schools and the school discipline system, because few reliable statewide data are available regarding tickets issued in schools. In addition, campus-level data used for this study did not include information about what, if any, law enforcement presence existed at a school.<sup>2</sup>

### **13. Why doesn't the study have specific recommendations?**

The focus of the Texas study was to merge datasets from multiple systems to provide insight into the effects of current school disciplinary practices. Extensive discussions with practitioners from education, health, juvenile justice, and other agencies must take place to interpret many of the findings and determine next steps. The Council of State Governments Justice Center will work with its partners in Texas and nationally to bring together researchers; practitioners; advocates for parents, teachers and students; and other stakeholders to develop consensus-based recommendations that are practical and build on the work of experts in the field.

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<sup>2</sup> The study also did not examine arrests that local law enforcement made on school campuses for Class A or B misdemeanors or felony offenses that were not reported to the Texas Education Agency.